EXHIBIT B

TIARA PAYNE v. WBY, INC. Tiara Payne on 06/23/2015

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2	EXHIBITS: See Index
3	AMERICAN ARBITRATION ASSOCIATION
4	
5	***********
6	TIARA PAYNE,
7	Claimant,
8	v. CASE NO.
9	01-14-0000-5109 WBY, INC., d/b/a THE FOLLIES,
10	Respondent.
11	**********
12	
13	DEPOSITION of TIARA PAYNE
14	Tuesday, June 23, 2015
15	8:51 a.m. to 12:03 p.m.
16	Constangy, Brooks, Smith & Prophete, LLP
17	230 Peachtree Street, NW
18	Atlanta, Georgia
19	Reporter: Sandra Kwiecien, RPR, CLR
20	CCR-6012-7323-6088-4224
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1	APPEARANCES:		
2	NICHOLS KASTER		
3	By: Paul J. Lukas, Esq.		
4	4600 IDS Center		
5	80 S. 8th Street		
6	Minneapolis, Minnesota 55402		
7	877.448.0492		
8	lukas@nka.com		
9	On behalf of the Claimant		
10			
11	JACKSON LEWIS, P.C.		
12	By: Allan S. Rubin, Esq.		
13	Erin J. Krinsky, Esq.		
14	2000 Town Center, Suite 1650		
15	Southfield, Michigan 48075		
16	248.936.1900		
17	rubina@jacksonlewis.com		
18	On behalf of the Respondent		
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	1	APPEARANCES (CONT'D):
	2	CONSTANGY, BROOKS, SMITH & PROPHETE, LLP
	3	By: Tamika R. Nordstrom, Esq.
	4	230 Peachtree Street, NW, Suite 2400
	5	Atlanta, Georgia 30303
	6	404.525.8622
	7	tnordstrom@constangy.com
	8	On behalf of the Respondent
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	24	Also present:
	25	Steve Youngelson

Tiara Payne on 06/23/2015

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25	(Original ex	khibits attached to original tran	script.)

1	PROCEEDINGS		
2	TIARA PAYNE, having been duly sworn, was		
3	examined as follows:		
4		EXAMINATION BY MR. RUBIN:	
5	Q.	Good morning, Ms. Payne. My name is Allan Rubin.	
6		How are you?	
7	A.	I'm fine. How are you?	
8	Q.	Good. I introduced myself to you briefly before the	
9		deposition. Today I'm going to be taking your	
10		deposition in an arbitration matter that you	
11		commenced before AAA in a matter captioned Payne	
12		versus WBY, d/b/a The Follies.	
13		Are you a party to that claim?	
14	A.	Yes, I am.	
15	Q.	You are the Tiara Payne who initiated that	
16		arbitration matter?	
17	A.	Yes.	
18	Q.	Okay. Have you ever been deposed before?	
19	A.	As	
20	Q.	Have you ever gone through this process before?	
21	A.	No.	
22	Q.	Okay. Have you ever been in a room where somebody	
23		swore you to tell the truth and answer questions?	
24	A.	No.	

Okay. You understand that, although we're sitting

25

Q.

- in a law office conference room, that you've been 1
- 2 sworn to tell the truth by somebody authorized to
- administer oaths in the State of Georgia? 3
- 4 Α. Yes.
- And you are under the same penalties of perjury as 5 0.
- 6 if you were testifying in a courtroom?
- 7 Α. Yes.
- 8 During today's deposition I'm going to be
- asking you a series of questions. Okay? And this 9
- 10 process can generally seem to be kind of not formal
- 11 because we're not in a courtroom. But
- unfortunately, it's every bit as formal. Okay? 12
- 13 by that -- what I mean by that is that I'm going to
- be asking you questions, and I'm going to expect you 14
- to answer those questions. Okay? Do you understand 15
- 16 that?
- 17 Α. Yes.
- 18 If I ask you a question that you don't Ο.
- 19 understand, I need you to let me know.
- 20 Α. Okay.
- 21 And it's very important that you let me know before
- 22 you answer a question because if you answer a
- 23 question, you are going to -- the court reporter is
- 24 going to take down what you say.
- 25 Α. Okay.

- And later we're all going to get a transcript 1 Q. Okay.
- 2 of your testimony.
- 3 Okay. Α.
- Okay? And that's going to have all the questions 4 Q.
- 5 that I ask you and all the answers that you give.
- 6 Okay?
- 7 Okay. Α.
- 8 It's important that you answer -- it's important
- that you tell us you don't understand, you don't 9
- 10 hear or can't comprehend what I'm asking or
- 11 anything, if my question is unclear. Because once
- 12 you give me an answer, everybody who reads this
- 13 transcript is going to make two assumptions:
- 14 first is that you heard the question that was asked
- 15 of you, you heard and understood it. Do you
- 16 understand that?
- 17 Α. Yes.
- 18 Secondly, that you are intending to give me -- you
- 19 are intending to give the answer that you are giving
- 20 to that question. Okay?
- 2.1 Α. Okay.
- 22 This is not a marathon. We have as long as it takes
- 23 to go through this process. If you need to take a
- 24 break any reason, as long as there is not a question
- 25 pending, I'll be happy to take a break.

- 1 A. Okay.
- 2 Q. Have you ever been a party to a lawsuit before?
- 3 A. Yes.
- 4 Q. How many times?
- 5 A. Once.
- 6 Q. What did that lawsuit involve?
- 7 A. It was Shooter's Alley class action lawsuit.
- 8 Q. Were you a named plaintiff?
- 9 A. I need to understand that better.
- 10 Q. Sure. Were you the person who initiated that case?
- 11 A. No.
- 12 Q. Did you go through a process called "opting in"?
- 13 A. I don't know what that is.
- 14 Q. Did you get a note or a letter in the mail from
- somebody saying, Do you want to be part of this
- 16 lawsuit?
- 17 A. Yes.
- 18 Q. And you signed your name?
- 19 A. Yes.
- 20 Q. And you became part of that lawsuit?
- 21 A. Yes.
- 22 Q. Were you deposed in that case? Asked questions
- 23 under oath?
- 24 A. No.
- 25 Q. Did you respond to any written questions?

- 1 A. I don't remember.
- 2 Q. Well, in this case you were asked some questions
- 3 that you were asked to respond to in writing; do you
- 4 recall that?
- 5 A. I don't remember.
- 6 Q. Okay. Do you recall being sent a document called
- 7 "Respondents's First Set of Interrogatories"?
- 8 A. Is this paperwork that --
- 9 THE WITNESS: Is this the paperwork
- 10 that --
- MR. LUCAS: Yes.
- 12 A. See, I'm not sure what it is that I agreed to. I
- 13 was forced to sign paperwork or I was --
- MR. LUCAS: No, no, no. He's talking
- about in connection with this lawsuit, the
- interrogatories and request for admission answers,
- the discovery stuff.
- 18 A. Discovery, yes, I read through the discovery.
- 19 Q. Okay. Did you prepare those discovery responses?
- 20 A. Yes.
- 21 Q. Okay. Did you prepare similar types of documents
- 22 when you were responding to -- when you were
- involved in the Shooter's Alley case?
- 24 A. I don't remember.
- 25 Q. Okay. Did you have a lawyer in that case?

- 1 A. Yes.
- 2 Q. Who was your lawyer?
- 3 A. Kimberly Martin.
- 4 Q. Was she the lawyer for the, quote, "class"?
- 5 A. Yes.
- 6 Q. As a result of that lawsuit, did you receive any
- 7 money?
- 8 A. Yes.
- 9 Q. How much?
- 10 A. I don't remember.
- 11 Q. That wasn't very long ago, was it?
- 12 A. I don't remember how much it was.
- MR. LUCAS: I have to -- you know what?
- 14 I'm not sure what her -- I should probably instruct
- her not to answer because I'm not sure what her
- 16 confidentiality provision -- to the extent there was
- one in that case. I wasn't the counsel. I'm going
- 18 to instruct her not to answer about amount anyway.
- 19 She doesn't remember, but --
- MR. RUBIN: Okay.
- 21 Q. When did you receive those funds?
- 22 A. They were installations over the course of a
- three-month period, three- to four-month period.
- Q. Okay. Did those come from Mrs. Martin?
- 25 A. They came from Shooter's Alley to Mrs. Martin to me.

- Now, did you have to provide any information 1 Q. Okay.
- 2 to Ms. Martin about when you worked at Shooter's
- 3 Alley?
- I don't know. I don't remember. 4 Α.
- 5 When did you work at Shooter's Alley? Q.
- I don't recall the dates I worked there. 6 Α.
- 7 Ο. Do you recall the years?
- 8 Α. 2012.
- Any other year? 9 0.
- 10 Α. No.
- 11 Do you recall the months? 0.
- 12 Α. No.
- 13 Do you recall whether it was the first half or the Q.
- 14 second half?
- 15 Α. No.
- 16 So just sometime in 2012 you worked there?
- 17 Α. Yes.
- 18 For how many days? Ο.
- 19 I don't remember. Α.
- 20 Q. How many weeks?
- 2.1 I don't remember. Α.
- 22 Can you tell me how many months? Q.
- 23 Α. About six.
- 24 About six. Is that your only job that you held
- 25 during that period of time?

- 1 A. No. I was working at Follies at the same time.
- 2 Q. Okay. How many days a week did you work in the
- 3 six-month period of time at Shooter's?
- 4 A. I don't remember. I know that I had to -- I ended
- 5 up stopping working at Shooter's because I had to
- 6 give my permit to Follies.
- 7 Q. How many days a week did you work at Shooter's, if
- 8 you can recall, during the six-month period?
- 9 A. I don't.
- 10 Q. Okay. Do you have a journal that you are looking
- 11 at?
- 12 A. Yes.
- 13 Q. Is there writing on that journal?
- 14 A. No.
- 15 Q. Is it a blank journal?
- 16 A. Yes.
- 17 Q. Can I see it, please?
- 18 A. Sure.
- 19 Q. Thank you.
- 20 A. You're welcome.
- 21 Q. Okay. Thank you.
- 22 A. You're welcome.
- 23 Q. Have you ever testified under oath in a court
- 24 before?
- 25 A. No.

- 1 Q. Okay. Have you ever been charged with a crime?
- 2 A. No.
- 3 Q. Have you ever been convicted of a crime?
- 4 A. No.
- 5 Q. How old are you?
- 6 A. 21.
- 7 Q. What's your date of birth?
- 8 A. 8/6/93.
- 9 Q. What's your address?
- 10 A. 4327 Richmeadow Drive.
- 11 Q. What city?
- 12 A. Houston, Texas 77048.
- 13 Q. How long have you lived in Houston?
- 14 A. About 13 months.
- 15 Q. Where did you live before that?
- 16 A. Here in Atlanta.
- 17 Q. Where?
- 18 A. Buckhead.
- 19 Q. Do you have an address?
- 20 A. 517 Main Street.
- 21 Q. Have you ever lived anywhere else in the Atlanta
- 22 area?
- 23 A. No.
- 24 Q. Did you ever live or have an address recorded as
- 25 being in Dacula?

- 1 A. Yes.
- 2 Q. Did you live at 2613 Misty Rock?
- 3 A. Yes.
- 4 Q. When did you live there?
- 5 A. From the time I was about 11 until 18.
- 6 Q. Okay. Do you have a driver's license?
- 7 A. Yes.
- 8 Q. What address is listed on your driver's license?
- 9 A. That address.
- 10 Q. Okay. Do you know any other -- what's your middle
- 11 name?
- 12 A. Chantelle.
- 13 Q. Were there another Tiara Chantelle Payne residing at
- 14 Misty Rock?
- 15 A. No.
- 16 Q. So you'd be the only one?
- 17 A. Yes.
- 18 Q. Did you ever appear in the Gwinnett County Circuit
- 19 Court to answer for any charges, any criminal
- 20 charges?
- 21 A. I don't want to answer that.
- 22 Q. Were you charged with prostitution?
- 23 A. I don't want to answer that either.
- 24 Q. Were you convicted of prostitution?
- 25 A. I don't want to answer that.

- 1 Q. If the record reflects that you pled guilty to the
- 2 criminal charge of prostitution, would that be
- 3 inaccurate?
- 4 A. I don't want to answer that.
- 5 Q. You are not going to answer that?
- 6 A. No.
- 7 Q. Okay. Well, you told me a minute ago that you've
- 8 never been charged with a crime. Okay? Was that
- 9 true?
- 10 A. I don't -- I think that these questions -- like it's
- just a lot of questions right now, and I'm trying to
- answer them to the best of my ability. So maybe I
- just made a mistake, but --
- MR. RUBIN: Move to strike as
- 15 nonresponsive.
- 16 Q. My question is, were you telling me the truth when I
- asked you if you were charged with a crime?
- 18 A. I don't remember.
- 19 Q. Okay. Are you telling me the truth now that you
- don't remember being charged with a crime?
- 21 A. I don't remember exactly what it is that I told you,
- so I don't want to go back.
- 23 Q. Were you charged in Gwinnett County with
- 24 trespassing?
- 25 A. No.

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- 1 Q. Okay. Were you charged in Gwinnett County with
- 2 fighting?
- 3 A. Yes.
- 4 Q. Who did you get in a fight with?
- 5 A. I don't even remember who it was. It was in high
- 6 school.
- 7 Q. Okay. Did you plead guilty to that?
- 8 A. I don't remember.
- 9 Q. Have you ever been charged with any other crimes?
- 10 A. No.
- 11 Q. Have you ever had a license that you held revoked?
- 12 A. Yes.
- 13 Q. What kind of license did you have revoked?
- 14 A. My driver's license.
- 15 Q. When -- did you ever work in DeKalb County as an
- 16 entertainer?
- 17 A. Yes.
- 18 Q. Did you have an entertainment permit?
- 19 A. Yes.
- 20 Q. Has that been revoked?
- 21 A. No.
- 22 Q. No? What do you do for a living today?
- 23 A. I'm a dancer.
- 24 Q. Where?
- 25 A. In Texas.

- 1 O. Where?
- 2 A. At another place.
- 3 Q. What's that -- does that place have a name?
- 4 A. Do I have to tell you?
- 5 MR. LUCAS: Yeah, go ahead. Go ahead and
- 6 answer his questions.
- 7 A. Heartbreakers.
- 8 Q. Heartbreakers. How long have you danced at
- 9 Heartbreakers for?
- 10 A. Since December.
- 11 Q. I'm so sorry?
- 12 A. Since December of 2014.
- 13 Q. Have you worked at any other clubs other than
- 14 Shooter's Alley, The Follies and the Heartbreakers?
- 15 A. No. Well, not that I remember.
- 16 Q. Okay. Well, so, for example, other than The Follies
- and Shooter's Alley, is there any other club in the
- greater Atlanta area that you've stepped foot in and
- 19 performed as an entertainer?
- 20 A. The Gold -- Gold Room or Gold -- Gold
- something.
- 22 Q. The Gold Club?
- 23 A. Yeah, I think. I think that's the name of it. I
- can't remember. I didn't work there long.
- 25 Q. How long did you work there?

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- 1 A. Probably a couple of weeks, if that.
- 2 Q. In what year?
- 3 A. 2014. No. 2013.
- 4 Q. Okay.
- 5 A. And that's not -- I'm not certain on that. I'm
- 6 pretty much just --
- 7 Q. Any other clubs that you've worked at?
- 8 A. No.
- 9 Q. So you've worked now at Shooter's Alley, The
- 10 Follies, Gold Club or Goldrush, I think --
- 11 A. Heartbreakers.
- 12 Q. -- and Heartbreakers, and nowhere else?
- 13 A. Not that I remember.
- 14 Q. Okay. Now, do you have any documents either that
- 15 you created or that you maintained or that were
- 16 given to you in conjunction with your performance as
- an entertainer at any of the clubs?
- 18 A. No.
- 19 Q. Okay. Do you have a phone?
- 20 A. Yes.
- 21 Q. Okay. Does that phone have text messages?
- 22 A. Yes.
- 23 Q. Does that phone have e-mail?
- 24 A. Yes.
- 25 Q. Is it the same phone you owned -- or how long have

- 1 you owned this phone for?
- 2 Maybe since February.
- Okay. What kind of phone is it? 3 0.
- An iPhone. 4 Α.
- What kind of phone did you have before? 5 0.
- 6 Α. An iPhone.
- 7 How long have you had an iPhone for? Q.
- 8 Α. Since they first started making them.
- 9 0. So since before you started working at Shooter's
- 10 Alley?
- 11 Α. Yes.
- Okay. When you got your iPhone, did you get it from 12 0.
- 13 a store?
- I don't really remember. 14 Α.
- 15 Q. Okay. Is it AT&T, Verizon?
- 16 It's AT&T. Α.
- 17 Did you go to an AT&T store to buy it? Q.
- 18 I think I might have -- I don't think I bought Α. No.
- 19 It's under my parents. it.
- 20 Well, when you went there with either yourself or Q.
- 2.1 your parents to the store to get it, did you bring
- 22 your old one with you?
- 23 Α. No.
- 24 Okay. So you lost all of your contact information
- 25 or had you backed it up somewhere?

- I don't still have information from those old, old 1 Α.
- 2 phones.
- That's not my question. My question is, did you 3 0.
- take -- before you went to the store with your 4
- 5 iPhones, did you back it up to a computer or the
- cloud? 6
- 7 Α. I don't know.
- 8 Q. What computer would you have used to back it up if
- 9 you did?
- 10 Maybe an old VIZIO. Α.
- 11 0. Okay. Did you use iTunes?
- 12 Α. Yes.
- 13 And you would connect and sync your phone to iTunes? Q.
- 14 Α. Yes.
- 15 0. That's how you would download all your music?
- 16 Α. Yes.
- 17 What computer had iTunes on it that you used? Q.
- 18 That old VIZIO computer -- laptop. Α.
- 19 Where is that VIZIO? 0.
- 20 Α. It's -- I don't even know where it is now.
- 2.1 Where was the last time you recall seeing it? 0.
- 22 Α. Last year when I was doing a PowerPoint on it.
- 23 0. Where was that at?
- 24 Α. Here.
- 25 Here at your mom's house?

- 1 Α. Yeah.
- 2 0. In Gwinnett County?
- 3 Α. Yes.
- In the De- -- I'm sorry. At the Misty Rock address? 4 Q.
- 5 Α. Yes.
- That was the last time you saw it? 6 0.
- 7 Α. Yes.
- 8 Okay. Well, we asked you a whole bunch of questions
- 9 to produce some documents. Do you recall that, to
- 10 produce all sorts of documents, we asked you a whole
- 11 series of questions?
- (Nonverbal response.) 12 Α.
- 13 Can you tell me what you did to look for any Q.
- 14 documents?
- 15 Α. I don't understand what you are asking me.
- 16 Okay. Well, we asked you a whole series of 0.
- 17 questions. They said request for production of
- 18 Do you recall seeing those -- that documents.
- 19 document before?
- 20 Α. Yes.
- 2.1 Okay. And it asked you to produce a whole series of 0.
- 22 things?
- 23 Α. Okay.
- 24 Right? Q.
- 25 Right. Α.

- 1 Q. I just want to know what you did to go look for
- those kinds of things?
- 3 A. Well, I'm -- check all my e-mails, anything that --
- 4 anything that could have possibly retained[sic] to
- 5 me working there. But I mean obviously that long, I
- don't even have pictures in my phones from back
- 7 then.
- 8 Q. So let's start with your old e-mails. What e-mails
- 9 did you use? What was the e-mail names?
- 10 A.
- 11 Q. You've got to go way slower than that.
- 12 A.
- 13 Q. Any other?
- 14 A. Uh-uh.
- 15 Q. Is that a no?
- 16 A. Yeah, that's a no.
- 17 Q. Okay. So is the only e-mail
- that you've ever used?
- 19 A. That's not the only one that I've ever used, but
- it's the only one that I can think of.
- 21 Q. What other e-mails may you have used?
- 22 A. I don't remember.
- 23 Q. Do you remember the name of that --
- 24 A. That's the main one. That's my e-mail.
- 25 Q. I understand. Do you remember the name of the

- 1 provider?
- 2 A. Provider? Can you --
- 3 Q. The company like Yahoo, Gmail?
- 4 A. Yahoo.
- 5 Q. All Yahoo accounts?
- 6 A. Yes.
- 7 Q. Any other names that you recall using on Yahoo is
- 8 either a user name, screen name?
- 9 A. No, I didn't do all that.
- 10 Q. Did you use Instagram?
- 11 A. Yes.
- 12 Q. How many different Instagram accounts do you have?
- 13 A. I don't have one now.
- 14 Q. How many have you had?
- 15 A. One.
- 16 O. What was that?
- 17 A.
- 18 Q.
- 19 A.
- 20 Q.
- 21 A. Uh-huh.
- 22 Q. When did you get rid of , your Instagram
- account or stopped using it, I should say?
- 24 A. Probably -- I don't know. I don't even know. I
- 25 can't tell you.

- Did you go back and search through that account to 1
- 2 look for any photographs or documents that would
- relate to this litigation? 3
- Yeah, and then there is no account to look through 4 Α.
- 5 because it is no longer there.
- When did you get rid of that? 6 0.
- 7 Α. I don't remember.
- 8 Q. Before you got rid of it, did you take any steps to
- 9 preserve any of the documents that were on it?
- 10 Α. No.
- 11 0. Any other Instagram accounts that you used?
- 12 Α. No.
- 13 How about Facebook? Q.
- Yeah, I haven't had a Facebook in years. 14 Α.
- 15 Q. What was your Facebook name?
- 16 Α. Tiara Payne.
- Any others? 17 O.
- 18 Α. No.
- 19 Did you look through your Facebook account for any 0.
- 20 documents or e-mails, messages, photographs?
- 2.1 I wouldn't -- I didn't have it. I haven't had it in Α.
- 22 so long.
- 23 0. That's not my question. My question is, did you?
- 2.4 Α. No.
- 25 Did you look at it?

- 1 A. No.
- 2 Q. Any other social media that you've used?
- 3 A. I had a Twitter with the same name, the
- 4 Q. Did you ever -- when did you get rid of your Twitter
- 5 account?
- 6 A. Possibly like a year and a half ago.
- 7 Q. When you say get rid of it, did you just stop using
- 8 it?
- 9 A. I deleted it.
- 10 Q. Off your phone?
- 11 A. Deleted the actual user name and everything.
- 12 Q. Were you involved in the Shooter's lawsuit at that
- 13 point?
- 14 A. At what point?
- 15 Q. Around the time when you deleted your accounts?
- 16 A. I can't put the two together.
- 17 Q. Why did you delete your Twitter and your Instagram
- 18 account?
- 19 A. They're not productive.
- 20 Q. What do you mean by "not productive"?
- 21 A. I mean it's not productive. It doesn't do anything.
- 22 Q. What did you use them for?
- 23 A. Social media at the time, but --
- 24 Q. What kind of social media?
- 25 A. Talking to relatives, people in distances, but --

- 1 Q. Any other social media?
- 2 A. No.
- 3 Q. No other social media whatsoever?
- 4 A. Not that I can think of at this moment.
- 5 Q. You know this is the moment to think of it.
- 6 A. Yeah, and it's not coming to me.
- 7 Q. Okay. If you think about it later, will you let
- 8 your lawyer know so he can let us know?
- 9 A. I will.
- 10 Q. Any other computers that you've owned other than
- 11 this VIZIO?
- 12 A. I have a Toshiba.
- 13 Q. Is that what you have today?
- 14 A. Yes.
- 15 Q. When you say you looked through your documents on
- 16 your e-mail, what did you look for?
- 17 A. Anything just pertaining to the club name or just
- anything that would have anything to do with this
- 19 whole situation.
- 20 Q. Okay. First of all, did you go through your
- calendars and see what you did every day?
- 22 A. Yeah, well, see, I don't even have any type of --
- any intel on anything back in that time. I don't
- have those phones. I don't have those records.
- Those are old iPhones that I don't have anymore.

- 1 Q. Where are they?
- 2 A. I don't even remember.
- 3 Q. What did you do with those old iPhones?
- 4 A. I quess I sold them or -- I don't know where -- I
- don't know, but -- I mean, that was so long ago.
- 6 Q. Well, you are 21 now. You danced just a couple of
- 7 years ago. It wasn't so long ago. It was less than
- 8 two years, isn't it?
- 9 A. But I go through phones frequently. I do. I break
- 10 phones and do all types of stuff to them, so it was
- 11 that long ago for me.
- 12 Q. It was less than two years ago that you got rid of
- 13 them?
- 14 A. Yes, it was.
- 15 Q. And would you have had information on what you did
- on a daily basis on those phones?
- 17 A. Maybe not so much that, but like photos in the
- 18 locker room. Just memories and stuff like that I
- 19 would have had.
- 20 Q. Did you ever keep track of the days that you were
- going to work at any particular place?
- 22 A. No.
- 23 Q. Did you ever have a schedule that you had to keep
- 24 track of?
- 25 A. No.

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- 1 Q. Did you go to school?
- 2 A. Not at the time I was dancing.
- 3 Q. Okay. Did you graduate high school?
- 4 A. Yes.
- 5 O. From where?
- 6 A. Dacula.
- 7 Q. I'm so sorry?
- 8 A. Dacula.
- 9 Q. What year did you graduate?
- 10 A. 2011.
- 11 Q. Did you ever apply to any colleges?
- 12 A. Yeah, I went to college. I just didn't finish.
- 13 Q. So you applied to a college and you got accepted?
- 14 A. Yeah.
- 15 Q. What college?
- 16 A. I went to Savannah State, and I went to Stillman
- 17 College in Tuscaloosa, Alabama.
- 18 O. You went to Savannah State and Stillman?
- 19 A. Yeah. I went to Savannah State first semester and
- 20 to Stillman second semester.
- 21 Q. Okay. Is that all the college you've completed?
- 22 A. Yeah.
- 23 Q. Okay. Did you obtain any degrees?
- 24 A. No.
- 25 Q. So you stopped going after your freshman year?

- 1 Α. Yes.
- 2 Ο. Did you work anywhere while you were in Savannah?
- 3 Α. No.
- 4 Did you work anywhere when you went to Stillman? Q.
- 5 Α. No.
- 6 Have you ever held a job other than as an 0.
- 7 entertainer?
- 8 Α. No.
- So when you were in high school, you didn't hold any 9 0.
- 10 jobs?
- The Follies was my first job. 11 Α.
- And then -- and you haven't held any jobs after, 12 0.
- 13 other than in the adult entertainment?
- 14 Actually, when I went to Texas, I did this -- as
- soon as I got to Texas, I did this like -- I don't 15
- 16 know what the job title is for this job, but it's
- 17 like when car dealerships -- you have people who are
- 18 doing the little boxes to ask questions, and they
- 19 send the information to the dealership. I did a job
- 20 doing that for a month or so.
- 2.1 Was that the first time you've ever been hired as an 0.
- employee by anybody? 22
- 23 Α. Yes.
- 24 Okay. So when you worked at The Follies, you
- 25 understood that you weren't being treated as an

- 1 employee, correct?
- 2 A. Well, when I worked there, I wasn't sure what I was.
- 3 Q. Okay. Well, nobody ever told you that they were
- 4 hiring you to perform a job, correct?
- 5 A. They don't hire me to perform a job.
- 6 Q. Did anybody ever promise to pay you any money for
- 7 what you were doing?
- 8 A. Oh, no.
- 9 Q. Did anybody ask you to fill out an employment
- 10 application?
- 11 A. No.
- 12 Q. Did anybody ask you to -- did anybody have you
- complete any IRS forms?
- 14 A. No.
- 15 Q. Did anybody tell you a schedule?
- 16 A. No.
- 17 Q. Did you apply to work on any particular shift or
- 18 schedule?
- 19 A. Well, when I first started working there, I wasn't
- allowed to work day shift or mid shift. I had to
- 21 work night shift.
- 22 Q. Did anybody tell you what days of the week to show
- up on the night shift?
- 24 A. No.
- Q. You got to choose that all by yourself, right?

- 1 A. Yes.
- 2 Q. And you already told me nobody promised you that
- they were going to pay you any money for that,
- 4 right?
- 5 A. Right.
- 6 Q. You understood that the money that you were going to
- 7 get was going to come from the customers?
- 8 A. Yes.
- 9 Q. What -- how did you learn about The Follies?
- 10 A. This girl who worked there called me up, because I
- 11 went to school with her, and she asked me what was I
- doing for money and did I want to come work where
- 13 she was working.
- 14 Q. And did she tell you that that was in the adult
- 15 entertainment field?
- 16 A. Yes.
- 17 Q. Did this girl have a name?
- 18 A. Catherine.
- 19 O. Does she have a last name?
- 20 A. I'm trying to think of her last name, but -- you
- know, we know girls by other names, and I can't
- 22 remember her --
- 23 Q. What was the stage --
- 24 A. -- last name.
- 25 Q. -- name that she went by?

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- 1 A. To be honest, I don't remember her stage name.
- 2 Q. Okay.
- 3 A. But her real name is Catherine.
- 4 Q. So Catherine whose last name you don't recall --
- 5 A. Right.
- 6 Q. -- whose stage name you don't remember, called you
- 7 up and said, I'm working at The Follies. Why don't
- 8 come here and work?
- 9 A. No, she didn't tell me where she was working. She
- just told me she had a job making really good money
- and asked me if I was interested.
- 12 Q. So she told you she was making really good money?
- 13 A. Yes.
- 14 Q. Did you ask her what she meant by that?
- 15 A. Yeah, and she told me dancing.
- 16 Q. And did she tell you how much money she was making?
- 17 A. Uh-uh.
- 18 Q. Did you ask her?
- 19 A. No.
- 20 Q. Did you ask her what she thought really good money
- 21 was?
- 22 A. No.
- 23 Q. And so how long after you graduated high school did
- 24 you have this conversation with her?
- 25 A. It was literally right after -- well, no. This was

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- 1 after -- after I came back from Stillman in May, and
- 2 she called me, and literally the middle of May I
- 3 started working at Follies. It was right after I
- 4 had left school.
- 5 Q. Middle of what year?
- 6 A. 2012.
- 7 Q. And she told you that she was working as a dancer
- 8 making really good money?
- 9 A. (Nonverbal response.)
- 10 O. Is that correct?
- 11 A. Yes.
- 12 Q. Did she tell you anything else about the job or
- about the location or about anything?
- 14 A. No.
- 15 Q. How long was it after you talked with her that you
- 16 first went to The Follies?
- 17 A. Probably like that fourth week of May. I think I
- 18 started working there like the last -- one of the
- 19 last few days in May.
- 20 Q. So you'd never been a dancer before, right?
- 21 A. No, never.
- 22 Q. So a friend of yours from high school called you up
- and said, I'm making really good money taking off my
- clothes and entertaining customers, and you said,
- 25 Great, I'll be there tomorrow?

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- 1 A. Yeah.
- 2 Q. Okay. Now, you showed up and -- did you meet with
- 3 somebody?
- 4 A. Yeah, the manager. Jim was the manager at the time.
- 5 Q. And you had to complete some -- a couple of
- 6 documents?
- 7 A. He told me to go get my permit. As soon as I could
- 8 come back with my permit, I could work night shift.
- 9 Q. So you understood that you had to have a permit to
- 10 perform there?
- 11 A. Yes.
- 12 Q. Okay. What did you have to do to get a permit?
- 13 A. Go to the DeKalb County, fingerprint.
- 14 Q. What kind of permit was it?
- 15 A. Dancing license to work in DeKalb County.
- 16 Q. So you understood that you just couldn't be -- you
- 17 couldn't just walk in off the street at that
- 18 point --
- 19 A. And just work there.
- 20 Q. Let me finish my question --
- 21 A. Okay.
- 22 Q. -- so that she -- otherwise, she'll start yelling at
- 23 us.
- 24 A. I'm sorry.
- 25 Q. So you understood you had to have a permit to work

- 1 there?
- 2 A. Yes.
- 3 Q. And that was a permit issued by the County of
- 4 DeKalb?
- 5 A. Yes.
- 6 Q. And you had to have certain requirements before you
- 7 could work there, right, before you could get the
- 8 permit?
- 9 A. What do you mean, like requirements?
- 10 Q. Well, you had to go show proof of your age?
- 11 A. At DeKalb County?
- 12 Q. Yes.
- 13 A. Yes.
- 14 Q. You had to be fingerprinted?
- 15 A. Yes.
- 16 Q. And you couldn't be convicted of certain offenses?
- 17 A. Right.
- 18 Q. Okay. You had to pay some money?
- 19 A. Yes.
- 20 Q. How much did you have to pay?
- 21 A. I don't remember how much the fee was, but it was
- 22 almost like \$400.
- 23 Q. \$400?
- 24 A. Almost.
- 25 O. Okay.

- 1 A. I think.
- 2 Q. And any other requirements that you could recall?
- 3 A. Uh-uh, no.
- 4 Q. Now, when you got that permit from the county, did
- 5 you understand it allowed you to dance anywhere
- 6 within DeKalb County?
- 7 A. Yes, but I could only dance --
- 8 Q. Just please answer my questions. I know you have
- 9 lots of things you want to say. I promise I will
- ask you questions, but just try to respond to my
- 11 questions. Okay?
- 12 A. Okay.
- 13 Q. It goes a lot smoother.
- 14 A. Okay.
- 15 Q. Okay?
- 16 A. Okay.
- 17 Q. Now, you had a permit, right, and that allowed you
- to dance at any of the clubs in DeKalb County?
- 19 A. Yes.
- 20 Q. And there were how many that you could dance at?
- 21 A. I don't even recall how many clubs there are in
- DeKalb County, but it's -- it's a bit.
- 23 Q. Okay. And that same permit that you got you needed
- to go dance at any of them, right?
- 25 A. In DeKalb County.

- 1 Q. And it's the same permit you used when you danced at
- Shooter's -- Shooter's Alley?
- 3 A. Yes.
- 4 Q. Did you have to renew that permit?
- 5 A. Yes.
- 6 Q. How many times have you renewed that permit?
- 7 A. I think I renewed my permit two times.
- 8 O. Twice?
- 9 A. (Nonverbal response.)
- 10 O. Did it cost the same each time?
- 11 A. Yes.
- 12 Q. So you would have gotten your permit in 2012,
- 13 renewed it in --
- 14 A. '13.
- 15 O. -- 2013 and renewed it in 2014 as well?
- 16 A. I don't think I was working there in 2014.
- 17 Q. I don't care where you were working. Did you renew
- 18 your permit in DeKalb County?
- 19 A. I don't remember because if I wasn't working there,
- then I didn't.
- 21 Q. Now, are there other clubs in the greater Atlanta
- area that you did not need a permit to work at?
- 23 A. Not that I know of.
- 24 Q. Did you ever have a permit issued by any other
- 25 governmental agency?

- 1 A. The City of Atlanta.
- 2 O. Uh-huh.
- 3 A. The Gold Club, that was the City of Atlanta.
- 4 Q. Did you have to get a license from the City of
- 5 Atlanta?
- 6 A. Yes.
- 7 Q. What was the process to get a license from the City
- 8 of Atlanta?
- 9 A. It was ideal[sic] to the process of DeKalb.
- 10 Q. Identical you said?
- 11 A. Uh-huh.
- 12 Q. Is that a yes?
- 13 A. Yes.
- 14 Q. I may sometimes interrupt you and say, Is that a
- 15 yes, or Is that a no?
- 16 A. Okay.
- 17 Q. Or repeat something you just said. I'm not trying
- to be rude or disrespectful. It's just I want to
- make sure that we have a clean, clear record. Okay?
- 20 A. Okay.
- MR. LUCAS: It's just his personality.
- MR. RUBIN: My personality is rude and
- 23 disrespectful. I'm just teasing.
- 24 Q. So you had a permit from the City of Atlanta?
- 25 A. Yes.

- 1 Q. Any other permits that you had?
- 2 A. No.
- 3 Q. It cost approximately the same?
- 4 A. Yes.
- 5 Q. And you had to purchase that permit each year you
- 6 wanted to dance either in DeKalb County or the City
- 7 of Atlanta?
- 8 A. Yes.
- 9 Q. Today do you need one in Harris County?
- 10 A. No.
- 11 Q. Harris County doesn't require licenses?
- 12 A. No.
- 13 Q. And that's where you reside and work today is in
- 14 Harris County, Texas, correct?
- 15 A. Correct.
- 16 Q. When you worked at The Follies, did you have a stage
- 17 name?
- 18 A. Yes. It was Climax.
- 19 O. Climax?
- 20 A. Uh-huh.
- 21 Q. Any other stage names that you used at The Follies?
- 22 A. No.
- 23 Q. So any time you would have worked at The Follies or
- 24 performed at The Follies, you would have used the
- 25 name Climax?

- 1 A. Yes.
- 2 Q. Any time you worked at Shooter's, would you have
- 3 used the stage name Climax?
- 4 A. Yes.
- 5 Q. Any time that you performed at Heartbreakers, would
- 6 you have used the name Climax?
- 7 A. Autumn.
- 8 Q. Autumn?
- 9 A. Uh-huh.
- 10 Q. Are you the only Autumn at Heartbreakers?
- 11 A. Yes.
- 12 Q. Were you the only Climax that you were aware of at
- 13 The Follies?
- 14 A. Yes.
- 15 Q. Were you the only Climax that you were aware of at
- the Goldrush or Gold Club, whichever it may have
- 17 been?
- 18 A. I think I went by Taylor there.
- 19 Q. Taylor?
- 20 A. Yes.
- 21 Q. Did you choose all these names that you were using?
- 22 A. Yes.
- 23 Q. So when you went -- by the way, the permit that you
- 24 got for the City of Atlanta, how many clubs did that
- allow you to work for?

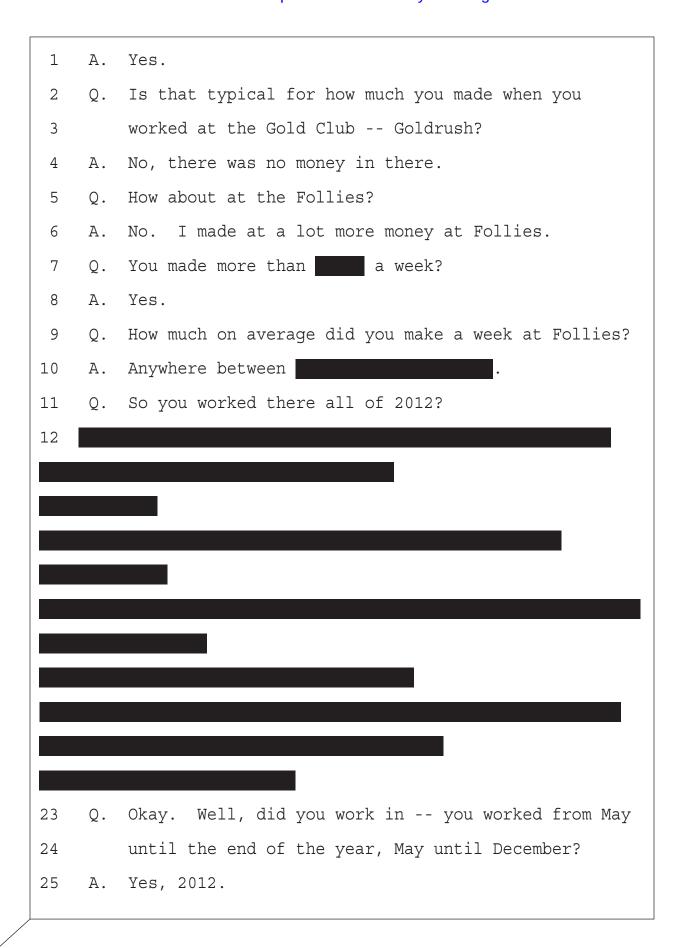
- 1 A. One.
- 2 Q. Just one?
- 3 A. (Nonverbal response.)
- 4 Q. Are you sure?
- 5 A. Yeah. It had on there "Gold Club." You couldn't
- 6 work anywhere but that club.
- 7 Q. If you wanted to go to work at another club, you had
- 8 to go get another permit?
- 9 A. Another permit.
- 10 Q. Pay another almost 400 bucks?
- 11 A. Yep.
- 12 Q. If you wanted to go work at some other club, you'd
- have to pay another 400 bucks?
- 14 A. For the City of Atlanta.
- 15 Q. Okay. But in DeKalb?
- 16 A. One permit is good for all DeKalb County.
- 17 Q. Have you ever tried to work in any club as an
- 18 employee?
- 19 A. No.
- 20 Q. Has any of the clubs that you've ever performed at
- offered you a position which they would -- in which
- they agreed to pay you wages in exchange for the
- 23 services?
- 24 A. Heartbreakers.
- 25 Q. So they pay you wages?

- 1 A. No. I'm an independent contractor, but they gave me
- 2 the option to be an employee and take all my money
- or be an independent contractor.
- 4 Q. So as I understand what you are saying -- and let me
- 5 just see if I understand it correctly. The one time
- that you've been offered the opportunity to be an
- 7 employee was at Heartbreakers?
- 8 A. Yes.
- 9 Q. And at Heartbreakers they gave you an option to pay
- 10 you a wage?
- 11 A. Yes.
- 12 Q. And what was the wage that they promised or they
- told you that they were willing to pay you?
- 14 A. Minimum wage.
- 15 Q. Okay. So what's minimum wage in --
- 16 A. 7.25.
- 17 Q. So they offered to pay you seven and a quarter an
- hour to perform as an entertainer?
- 19 A. That's correct.
- 20 Q. Or allow you to perform as an independent contractor
- in which you wouldn't be their employee doing their
- 22 bidding but performing -- running your own business
- essentially and getting to keep the money?
- 24 A. Yes.
- 25 Q. And in that circumstance you chose to be a

- 1 contractor?
- 2 Α. Yes.
- Because you thought that being a contractor was 3
- 4 better money than being paid as a minimum wage
- 5 employee?
- 6 Α. Yes.
- 7 O. Okay. And that's based upon your experience in
- 8 working in the adult industry?
- 9 Α. Yes.
- 10 You knew that in the adult industry, it's always
- 11 better to be a contractor than a minimum wage
- employee, right? 12
- 13 Yes. Α.
- You make far more money in -- as a business person 14
- 15 being a contractor than you do being an employee for
- 16 these clubs, correct?
- 17 MR. LUCAS: Object to the form of the
- 18 question. Go ahead and answer.
- 19 Α. Yes.
- 20 0. You make far more than seven and a quarter an hour
- 2.1 on average, don't you?
- It depends. It's -- it's a gamble in the clubs. 22 Α.
- 23 Some days you do and some days you don't.
- 24 Some days you make thousands of dollars, right? Q.
- 25 Possibly. Α.

- 1 Q. And that's a gamble that at least when you were at
- 2 Heartbreakers you chose to take, correct?
- 3 A. Correct.
- 4 Q. That's based upon your experience having been a
- 5 dancer at least three our clubs?
- 6 A. That's based upon I can't survive off of 7.25 an
- 7 hour.
- 8 Q. And you make far more by being a contractor?
- 9 A. On a good day.
- 10 Q. Well, let me ask you some questions. What's a good
- 11 day?
- 12 A. A day that I come out with more money than I have to
- pay to the club.
- 14 Q. Okay. So let me ask you a question, if I wanted to
- know how much money you made -- when was the last
- time you danced at Heartbreakers?
- 17 A. Sunday.
- 18 Q. How much did you make at Heartbreakers on Sunday?
- 19
- 21 A. (Nonverbal response.)
- 22 Q. How about Saturday; did you dance Saturday at the
- 23 club?
- 24 A. No.
- 25 Q. Friday?

- 1 A. Yes.
- 2 Q. How much did you make Friday?
- 3 A. I don't remember.
- 4 Q. Approximately?
- 5
- 6 Q.
- 7 A. Yes.
- 8 Q. How much did you dance -- how much did you earn --
- 9 did you dance Thursday?
- 10 A. No.
- 11 Q. Did you dance Wednesday?
- 12 A. No.
- 13 Q. Tuesday?
- 14 A. Yes.
- 15 Q. How much did you earn last Tuesday?
- 16 A.
- 17 Q. Did you dance Monday?
- 18 A. No.
- 19 Q. So last week -- last week, if my math is right, you
- 20 made about
- 21 A. Yes.
- 22 Q. Is that a pretty average week at Heartbreakers?
- 23 A. Pretty average.
- 24 Q. So working three days a week you made about
- 25 bucks?



- 1 Q. And if you averaged between
- 2 A. I wasn't averaging that at the time.
- 3 Q. What were you making? What were you averaging then?
- 4 A. A lot less than that.
- 5 Q. Okay. Tell me.
- 6 A. I can't even tell you because I don't remember, but
- 7 it was a lot less than that because there were
- 8 nights where I wasn't making a dollar.
- 9 Q. Did you average a week?
- 10 A. Maybe -- maybe so. A little less, a little more.
- 11 Q. So just in the short term that you worked there in
- 12 2012, you averaged -- you probably made
- 13
- 14 A. Around that number.

- 18 Q. In 2013 you worked at The Follies?
- 19 A. Yes.
- 20 Q. Did you work the same kind of schedule as you work
- 21 today?
- 22 A. No. At Follies I was working every shift in 2013.
- 23 Q. Every shift?
- 24 A. Yeah.
- Q. So every day of the week, all three shifts?

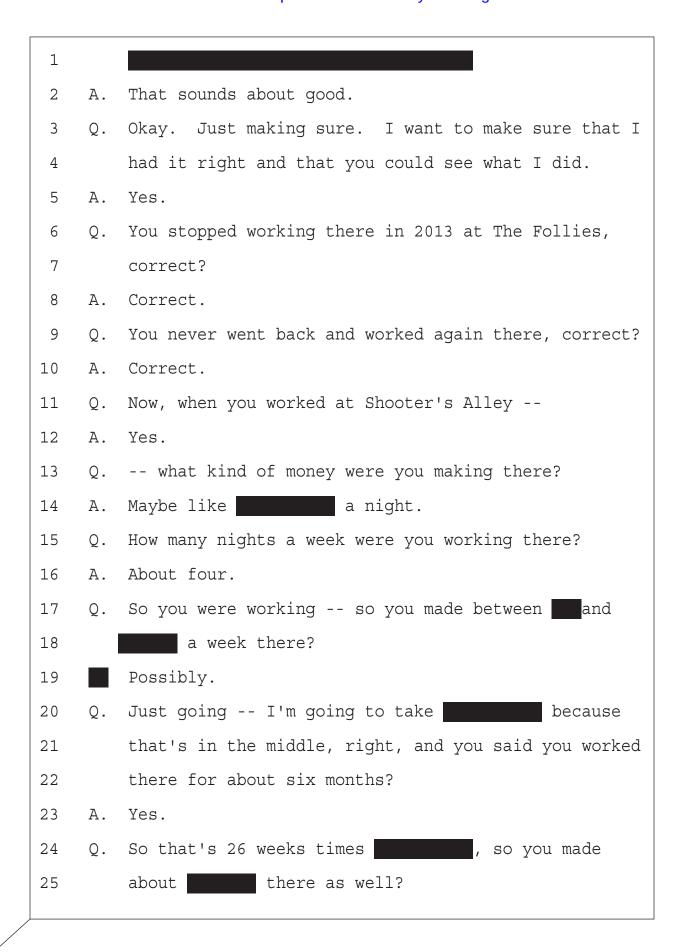
- 1 A. No. But six days out of the week I was in there all
- 2 three shifts, yes.
- 3 O. All three shifts?
- 4 A. Yes, from the time it opened to the time it closed.
- 5 Q. So you were there about 18 hours a day?
- 6 A. About 16.
- 7 Q. About 16 hours a day, six days a week?
- 8 A. I was.
- 9 Q. Okay. I understand that's what you are saying. You
- 10 were there 96 hours a week. Is that what you are
- 11 saying?
- 12 A. Yes.
- 13 Q. Okay. And how much did you earn in those 96 hours a
- week on average?

- 18 Q. So if I were to tell you that was about an
- 19 hour, would that surprise you?
- 20 A. No.

21

- 7 Q. Okay. So -- but just using your average --
- 8 A. I don't know about my average because this is like a
- 9 whole bunch of math that I'm trying to do off the
- 10 top of my mind, and that's not accurate, so I can
- only do so much.
- 12 Q. You said you averaged about
- 13 A. But when it comes to these specific numbers and all
- 14 that --
- 15 Q. You have an iPhone, so , right?
- 16 A. Yes.
- 17 Q. You recognize the calculator?
- 18 A. Yes.
- 19 Q. You said you worked 52 weeks? How many weeks did
- 20 you work? Did you go on vacation at all?
- 21 A. No.
- 22 Q. Did you work every week?
- 23 A. Pretty much for the whole time I was there.
- 24 Q. So that's 52, right?
- 25 A. Yes.

- 1 Q. That's -- how much is that?
- 2 A. About
- 3 Q. You see I did the math; you could follow it?
- 4 A. Yes.
- 5 Q. You can see that?
- 6 A. Yes.
- 7 Q. Okay.
- 8 A. Apparently if that's what these hours are and that's
- 9 what it says, then that must be it.
- 10 Q. Then you claimed that you worked 96 hours a week,
- 11 right?
- 12 A. Six hours a day.
- 13 Q. How many?
- 14 A. I'm sorry. Six days a week for 12:00 p.m. until
- 15 4:00 a.m.
- 16 O. So 16 hours times 6.
- 17 A. Let's do 12:00 to 4:00. How many hours is that?
- 18 O. 96. 12 times 6 is 96.
- 19 A. Yeah, 16 hours a day.
- 20 Q. 12 times 6 is 96. I just did the math.
- 21 A. Okay.
- 22 Q. Can you see that?
- 23 A. Yes, all this is accurate.
- 24 Q. Because I -- I don't want to trick you at all. I
- 25 divided that by -- I divided by 96, and that's



- 1 A. (Nonverbal response.)
- 2 Q. So if I had my math -- what did you do in 2014? Did
- 3 you work somewhere?
- 4 A. I think that's when I went to Houston.
- 5 Q. When in 2014 did you go to Houston?
- 6 A. Around April.
- 7 Q. Is that when you started working at Heartbreakers?
- 8 A. I started working at Heartbreakers in December.
- 9 Q. What did you do between April and December?
- 10 A. I had that little telemarketing thing for like a
- month and then I wasn't working.
- 12 Q. You were living off your savings?
- 13 A. Uh-huh.
- 14 Q. Is that a yes?
- 15 A. Yes.
- 16 Q. So if I have my math right, and I just want to make
- sure that this comports with what you think, you
- 18 made in probably two years of dancing about
- 19
- 20 A. Probably more than that.
- 21 Q. More than that?
- 22 A. Yeah, I made bank at Follies.
- 23 Q. Did you save that money in a bank account?
- 24 A. Kind of, yeah.
- 25 Q. Do you have a bank account?

- 1 A. Yes.
- 2 Q. What bank?
- 3 A. Wells Fargo.
- 4 Q. Which Wells Fargo?
- 5 A. All of them. I mean, how do I answer that?
- 6 Q. Did you use a particular branch?
- 7 A. No.
- 8 Q. Did you deposit -- was it your practice to deposit
- 9 your earnings into your bank accounts?
- 10 A. No. At times.
- 11 Q. What would you use your bank account for?
- 12 A. I guess -- I don't know. Whatever I needed.
- 13 Q. So like did you have a car, for example?
- 14 A. Yes.
- 15 Q. Did you have a car payment?
- 16 A. Yes.
- 17 Q. Did you pay that from your Wells Fargo account?
- 18 A. Uh-huh.
- 19 Q. Is that a yes?
- 20 A. Yes.
- 21 Q. What kind of car did you have or do you have?
- 22 A. I had a Chrysler at the time.
- 23 Q. What kind of Chrysler?
- 24 A. A 300.
- 25 Q. What year?

- 1 A. '07.
- 2 Q. Did you take a loan on that?
- 3 A. Yes.
- 4 Q. From Wells Fargo?
- 5 A. No.
- 6 Q. From whom?
- 7 A. From -- it's -- it wasn't my car. It was somebody
- 8 else's car, but I was paying for it.
- 9 Q. And you were writing checks to Chrysler Financial or
- 10 whomever?
- 11 A. I was paying for it out of my account.
- 12 Q. Who were you paying the checks to?
- 13 A. Crescent Bank & Trust.
- 14 Q. And were you getting the money to pay that from
- dancing?
- 16 A. (Nonverbal response.)
- 17 Q. Is that a yes?
- 18 A. Yes.
- 19 Q. How much were the payments a month?
- 20
- 21 Q. Okay. Did you have an apartment?
- 22 A. Yes.
- 23 Q. When you were here in Atlanta?
- 24 A. Yes.
- 25 Q. Where did you live?

- 1 A. In Buckhead.
- 2 Q. Did you live alone or did you have a roommate?
- 3 A. I had a significant other.
- 4 Q. Okay. And did you make the rent payments?
- 5 A. Yes.
- 6 Q. From money you earned while dancing?
- 7 A. Yes.
- 8 Q. And how much were the rent payments a month?
- 9
- 10 Q. And you earned that money only from dancing?
- 11 A. Yes.
- 12 Q. Any other -- did you have student loans?
- 13 A. Yes.
- 14 Q. Did you make payments on those?
- 15 A. Yes.
- 16 Q. How much were you paying a month?
- 17 A. I didn't do it consistently. But when I did, it was
- 18 like dollars.
- 19 Q. That came from dancing --
- 20 A. Yes.
- 21 Q. -- the money?
- 22 A. (Nonverbal response.)
- 23 Q. Any other source of regular -- strike that.
- Any other regular payments that you would make?
- 25 A. Car insurance, the light bills, the electricity, any

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- 2 Q. So when you were living here in Atlanta and dancing
- at The Follies, you would dance at The Follies and
- 4 you would deposit a portion of your money?
- 5 A. And then keep the rest of it on me.
- 6 Q. In cash?
- 7 A. (Nonverbal response.)
- 8 Q. Did you do anything to track -- strike that.
- 9 Would you go to the bank on a regular basis or
- 10 was it just on occasion?
- 11 A. No. It was on -- it was just being new in society
- and trying to figure stuff out.
- 13 Q. But my question is, did you go every Friday? Did
- 14 you go every other Friday? Once a month?
- 15 A. Sporadically. So where are all these questions
- 16 about --
- 17 MR. LUCAS: Uh, uh, uh. Just answer
- the questions he asks. Okay?
- 19 THE WITNESS: Okay.
- MR. LUCAS: He only gets to know what he
- asks.
- 22 THE WITNESS: Okay. It's just like he's
- asking all of my information.
- MR. LUCAS: No, no, no, no, no. Just
- answer his questions. No commentary, no narratives.

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- 1 Okay?
- THE WITNESS: All righty.
- 3 BY MR. RUBIN:
- 4 Q. Now, you had a significant other. Did that person
- 5 have a name?
- 6 A. Yes, but I don't want to tell his name.
- 7 Q. What was his name?
- 8 A. I don't feel like that's necessary. Like this is
- 9 ridiculous.
- 10 MR. LUCAS: You know what? Let's take a
- 11 break. Let's take a break. I need to go to the
- 12 restroom anyway.
- MR. RUBIN: Fair enough.
- 14 (Recess.)
- 15 BY MR. RUBIN:
- 16 Q. Who did you live with in 2013?
- 17 A. My boyfriend.
- 18 O. What's his name?
- 19 A. Tamar Raheem.
- 20 Q. How do you spell his last name?
- 21 A. R-A-H-E-E-M.
- 22 O. R-A-H?
- 23 A. E-E-M.
- Q. Are you still with Mr. Aheem[sic]?
- 25 A. Raheem. Yes, I am.

- 1 Q. Is it R-A-H?
- 2 A. R-A-H.
- 3 Q. I thought you said A-A-H?
- 4 A. Yes, it is R-A-H.
- 5 Q. Are you still with Mr. Raheem?
- 6 A. Yes, I am.
- 7 Q. Does he live in Texas with you?
- 8 A. Yes, he does.
- 9 Q. Does Mr. Raheem -- does he have a job?
- 10 MR. LUCAS: That's enough. I'm going to
- instruct her not to answer. It's completely
- irrelevant. If you want to call the arbitrator, we
- 13 can.
- 14 Q. So when he lives with you at the same address --
- MR. LUCAS: That's enough. She already
- answered that. Asked and answered.
- 17 Q. Okay. Anybody else live with you in 20- --
- 18 MR. RUBIN: So if I were to continue down
- 19 that line, you would just continue to instruct her?
- 20 So we have a clean and clear record.
- 21 MR. LUCAS: You mean continuing down a
- line that has nothing to do with the lawsuit?
- MR. RUBIN: I think it has lots to do with
- 24 the lawsuit.
- MR. LUCAS: You asked her if she still

1		lives with him now.
2		MR. RUBIN: Yes.
3		MR. LUCAS: And we're done at that point,
4		SO
5		MR. RUBIN: You are going to instruct her
6		not to answer?
7		MR. LUCAS: Go ahead and ask the rest of
8		your outline, and I'll continue to object.
9		MR. RUBIN: Okay. Fair enough.
10	Q.	Does Mr. Raheem have a job?
11		MR. LUCAS: Instruct her not to answer it.
12	Q.	If I wanted to locate him, where would I find him?
13		MR. LUCAS: Same.
14	Q.	Does he have a phone number?
15		MR. LUCAS: Same.
16	Q.	What's his date of birth
17		MR. LUCAS: Same.
18	Q.	if you know?
19		MR. RUBIN: Let me at least finish my
20		questions before you instruct her.
21		MR. LUCAS: Date of birth, same objection.
22		MR. RUBIN: Okay.
23	Q.	Does he have e-mail?
24	Α.	Yes.
25	Q.	What's his e-mail?

- 1 MR. LUCAS: Same ob- -- same instruction.
- 2 Q. Does he have a cell phone?
- 3 A. Yes.
- 4 Q. What's his cell phone number?
- 5 MR. LUCAS: Same objection. Same
- 6 instruction.
- 7 Q. Okay. In 2013 Mr. Raheem lived with you for the
- 8 entire year?
- 9 A. Yes.
- 10 Q. Mr. Raheem would be aware of your comings and
- 11 goings?
- 12 A. Yes.
- 13 Q. Did you discuss with Mr. Raheem when you were going
- 14 to work?
- 15 A. Yes.
- 16 Q. Did he drive you to work?
- 17 A. Yes.
- 18 Q. So he would be very familiar with your schedule?
- 19 A. Yes.
- 20 Q. Anybody else who may be familiar with your schedule
- in 2013 who you may know?
- 22 A. No.
- MR. LUCAS: If your client wants to make
- comments, he's certainly welcome to whisper. But
- he's not whispering, and he's doing a lot of huffing

and puffing and making faces and making comments. 1 2 MR. YOUNGELSON: It's because I have heart failure. 3 MR. LUCAS: No, no. You are talking. 4 5 are very loud, and you are reacting to her answers. 6 MR. YOUNGELSON: I'm so sorry. 7 MR. LUCAS: Thank you. I appreciate your 8 apology. 9 BY MR. RUBIN: Now, anybody else who may be familiar with your 10 11 schedule from to 2013? 12 Α. No. 13 Did you have any other roommates who may have Q. resided with you? 14 15 Α. No. 16 Is Mr. Raheem originally from the Atlanta area? 17 Α. No. Where is he from originally? 18 Ο. 19 New York. Α. New York. How old is he? 20 Q. 2.1 Older. Α. 22 Q. Older? Is he more than ten years older than you? 23 Α. Yes.

Approximately -- if you could guess, how --

MR. LUCAS: I'd instruct her not to

24

25

1		answer.
2		MR. RUBIN: Okay.
3		MR. LUCAS: Let's go on to the lawsuit.
4		We're an hour and 15 minutes in.
5		MR. RUBIN: You know, we can play this
6		game, if you want, Paul. But as you know, she's
7		made some claims so far today that I'm entitled to
8		follow up on.
9		MR. LUCAS: Follow up.
10		BY MR. RUBIN:
11	Q.	Approximately how old is Mr. Raheem?
12	A.	50.
13	Q.	Okay. Now, you said in 2013 you would regularly
14		perform at The Follies and that was the only place
15		you would perform?
16	A.	Yes.
17	Q.	So you would have been pretty familiar with how the
18		process worked when you went into the club?
19	A.	Yes.
20	Q.	Okay. When you went into the club, did you have to
21		let somebody know you were there?
22	Α.	Yes.
23	Q.	Okay. And when you got there, who would you let
24		know?
1	_	

25

Α.

The house mom.

- 1 Q. And at some point would you have to let the DJ know
- that you were leaving?
- 3 A. Yes.
- 4 Q. Did the DJ have some sheets that he was recording
- 5 when you came and went on?
- 6 A. Yes.
- 7 Q. Did you have to initial those?
- 8 A. Yes.
- 9 Q. Did you initial those on every day that you
- 10 performed there?
- 11 A. On the night shift, yes.
- 12 Q. And on the day shift, did you initial as well?
- 13 A. No.
- 14 Q. Never?
- 15 A. Well, I'm not going to say never, but I don't really
- remember. I remember on the night shift we had to
- 17 initial.
- 18 Q. Would it record -- would you write on this document
- 19 yourself?
- 20 A. No.
- 21 Q. So you wouldn't record -- like you wouldn't initial
- 22 it?
- 23 A. Well, I would initial it, yes.
- Q. Other than initialing it, would you have written on
- it in any way?

- 1 A. No.
- 2 Q. So the only thing that you would have done is
- 3 initial it to attest that it was --
- 4 A. Correct.
- 5 Q. -- you?
- 6 A. Yes.
- 7 Q. And did you initial it believing it to be correct?
- 8 A. Yes.
- 9 Q. Did you ever believe it not to be correct?
- 10 A. No.
- 11 Q. Okay. Was that the same process that you followed
- on every day that you went there --
- 13 A. Yes.
- 14 Q. -- in 2013 at least?
- 15 A. Yes.
- 16 Q. Is that the same process that you saw other
- 17 entertainers following?
- 18 A. Yes.
- 19 THE WITNESS: Did you tell him about the
- 20 paperwork?
- MR. LUCAS: Uh-huh. We'll tell him about
- it when we get to it.
- MR. RUBIN: Is there something that you
- 24 want to tell me about?
- MR. LUCAS: Yeah, there's a couple of

- inaccuracies in her interrogatory answers that she
- wants to correct, a correction she gave us that we
- 3 didn't make.
- 4 MR. RUBIN: Well, we can --
- 5 MR. LUCAS: When we get to that, we'll
- 6 deal with it. It's pretty minor stuff.
- 7 BY MR. RUBIN:
- 8 Q. Now, was there a particular DJ who you worked with
- 9 more frequently than others?
- 10 A. Yes.
- 11 Q. Who was that?
- 12 A. Julian.
- 13 Q. Julian?
- 14 A. Yes.
- 15 Q. Did you ever work with a DJ John?
- 16 A. Yes.
- 17 Q. Did you ever work with a DJ Brian?
- 18 A. Yes.
- 19 Q. Any other DJs that you recall working with?
- 20 A. Josiah.
- 21 O. What?
- 22 A. Josiah.
- 23 O. Josiah. Would all these DJs follow the same
- 24 process?
- 25 A. No.

- 1 Q. Were they slightly different?
- 2 A. Yes.
- 3 Q. How were they different between the DJs?
- 4 A. Julian would let us pay him to not go on stage, and
- 5 sometimes he didn't charge us.
- 6 Q. Okay.
- 7 A. Josiah took \$20 if we didn't want to get on stage.
- 8 Brian never let us skip stage.
- 9 Q. Okay.
- 10 A. And then I don't remember about the -- whatever his
- 11 name is.
- 12 Q. Well, let met ask you some basic questions, if I
- 13 can. When you went to work at the club --
- 14 A. Yes.
- 15 Q. -- and you walked in the door, approximately how big
- 16 was it?
- 17 A. Spacious.
- 18 Q. Is it a large club, small club, medium club?
- 19 A. Medium club.
- 20 Q. How does it compare to where you work today?
- 21 A. It's like tiny compared to the club I work at now.
- 22 Q. Okay. And how does it compare to the Goldrush?
- 23 A. It's not as big as the Goldrush.
- 24 Q. It's a smaller club, right?
- 25 A. It's a smaller club.

- And approximately how many other entertainers would 1
- 2 be there performing on any particular day shift?
- Maybe 50, 60, 70. Maybe 40 -- between 40 and 70, I 3 Α.
- 4 quess.
- 5 So 40 to 70 a day? Q.
- 6 Α. Yes.
- 7 How many at night? Ο.
- 8 Α. Up to a hundred girls.
- Now, were there some entertainers who liked 9 0.
- 10 performing on stage?
- 11 Α. Yes.
- Were you one of those? 12 Ο.
- 13 Α. Not really.
- 14 Were there some entertainers who wanted to perform
- 15 on stage because they believed that it would be
- 16 something good for them to market themselves to the
- 17 customers?
- 18 Yes. Α.
- 19 Also get stage tips? 0.
- 20 Α. Yes.
- 2.1 And others didn't like doing it? 0.
- 22 Α. Yes.
- 23 0. Was one of the ways that the entertainers would
- 24 market themselves was by getting on stage?
- 25 Yes. Α.

- 1 Q. And dancing to whatever music they may like?
- 2 A. No. We didn't pick our music.
- 3 Q. Did you pick the type of music you liked?
- 4 A. Yes.
- 5 Q. Did you tell the DJ what kind of music you liked to
- 6 perform to?
- 7 A. Yes.
- 8 Q. And within that -- and generally they would call you
- 9 up when they were playing whatever the music that
- 10 you liked was?
- 11 A. They called us up as we were on the schedule.
- 12 Q. You said there was a schedule that they kept?
- 13 A. Well, a list of all the girls who came in as you
- sign in, that's the list that you go up on stage by.
- 15 Q. Okay. Did anybody at the club ever tell you that
- 16 you had to go on stage?
- 17 A. Yes.
- 18 O. Who?
- 19 A. The club.
- 20 Q. Who?
- 21 A. The house mom, the DJs, anybody who -- unless Julian
- was there and he let me pay him not to go on the
- 23 stage or Josiah.
- 24 Q. Let me start out real slowly. What was the house
- 25 mom who told you that you were required to go on

- 1 stage?
- 2 A. Abby, Victoria, T, Sabina.
- 3 Q. They all told you that?
- 4 A. Yes, you have to go on stage.
- 5 Q. Hear me out. Just hear me out.
- 6 A. Yes.
- 7 Q. Somebody told you that you were required to go on
- 8 stage?
- 9 A. The DJ in particular. I already said the DJs.
- 10 O. Which DJ?
- 11 A. All four of them, unless Josiah was in one of his
- 12 nice up feelings, or Julian was there.
- 13 Q. And did anybody tell -- so after the first -- did
- they tell you that on the first day?
- 15 A. Also the management.
- 16 Q. Who?
- 17 A. Cain.
- 18 Q. Cain told you that you had to go on stage?
- 19 A. Yes.
- 20 Q. Anybody else?
- 21 A. Stevie.
- 22 Q. Is that Steve Shine?
- 23 A. Yes.
- 24 Q. Anybody else?
- 25 A. Jim never said anything to me. Steve -- no, he

- 1 never said anything to me either. Those are pretty
- 2 much the only ones.
- 3 Q. And they told you that you had to go on stage, and
- one of the DJs told you that you could pay \$20 to
- 5 him if you didn't want to?
- 6 A. Yes.
- 7 Q. Did you ever pay \$20 to him?
- 8 A. Yes.
- 9 Q. How many times?
- 10 A. Like -- I don't even know how many times to count.
- 11 Probably like 50 times.
- 12 Q. Probably like 50 times?
- 13 A. Yes.
- 14 Q. Probably like 50 times. So what days did -- which
- one did you pay that to, Josiah?
- 16 A. Josiah and sometimes Julian, just if I was feeling
- 17 nice, but Julian didn't --
- 18 Q. Okay. No, no. These are the ones that you paid \$20
- 19 to, not because you were feeling nice, because you
- 20 didn't want to go on stage; that's what I'm asking
- 21 you.
- 22 A. But sometimes Julian would let -- Julian would let
- us skip if he was there without paying.
- 24 Q. Okay. So Julian would let you skip without paying
- 25 sometimes?

- 1 A. Sometimes.
- 2 Q. Okay. And Josiah --
- 3 A. Always took \$20.
- 4 Q. -- took \$20 when you didn't want to go on stage?
- 5 A. And we couldn't skip with Brian or the other quy.
- 6 Q. So did you ever work with Brian when you initialed
- 7 the amount that you tipped him out?
- 8 A. I don't know.
- 9 Q. Okay. Did you typically tip out the DJs?
- 10 A. Yes.
- 11 Q. Was it customary to tip out the DJs at the club?
- 12 A. Yes.
- 13 Q. That's because in part they were providing services
- to you, right?
- 15 A. Right.
- 16 Q. It's kind of industry practice for people who
- 17 provide you services for you to tip out to?
- 18 A. It's the rules.
- 19 Q. It's also industry practice, right?
- 20 A. Well, it was required of me, so I did it.
- 21 Q. Was it required of you at Heartbreakers?
- 22 A. Yes.
- 23 Q. And you do it there?
- 24 A. Yes.
- 25 Q. Was it required of you at Shooter's?

- 1 A. Yes.
- 2 Q. And you did it there?
- 3 A. Yes.
- 4 Q. Was it required of you at Goldrush?
- 5 A. Yes.
- 6 Q. And you did it there?
- 7 A. Yes.
- 8 Q. Was it all around the same amount at each of the
- 9 clubs?
- 10 A. Yes.
- 11 Q. What was the amount?
- 12 A. Ten percent of what you make.
- 13 Q. And that was what was required?
- 14 A. Yes.
- 15 Q. Who told you that paying ten percent of what you
- make was required at The Follies?
- 17 A. The DJ and management.
- 18 Q. First of all, which DJ?
- 19 A. All of them.
- 20 Q. Which manager?
- 21 A. All of them.
- 22 Q. All the managers told you that you were required to
- pay ten percent?
- 24 A. Yes.
- 25 Q. What day did they tell you that?

- 1 A. When I first started there and whenever I couldn't
- 2 afford my tip out.
- 3 Q. Were there days that you couldn't afford your tip
- 4 out?
- 5 A. All the time.
- 6 Q. Did you not pay your tip out when you couldn't
- 7 afford it?
- 8 A. I will have to come back and pay it the next day.
- 9 Q. Were there times you recorded zero paid as tip out
- 10 and initialed it?
- 11 A. I suppose there is, but I'm not a hundred percent.
- 12 Q. And if you did, it would have been accurate?
- 13 A. That I didn't pay?
- 14 Q. Yes, ma'am.
- 15 A. Yes.
- 16 Q. Did you ever tip out less than ten percent of what
- 17 you made?
- 18 A. No.
- 19 O. Never?
- 20 A. If I didn't have it, of course.
- 21 Q. Did you ever tip out in the range of like ten bucks?
- 22 A. I always tip more than \$10.
- 23 Q. Always?
- 24 A. Yes. I believe in doing -- you get out what you put
- 25 in, so --

- 1 Q. So you thought that if you put in more, the DJs
- would treat you better and you'd get out more?
- 3 A. No. I think that the law of attraction would treat
- 4 me better when people get what they work for.
- 5 Q. I'm not understanding what you are saying.
- 6 A. The minimum dollars was ten percent of what I made.
- 7 I always tipped out way more than ten percent
- 8 because it's just the right thing to do. If you
- 9 worked hard and the minimum is ten percent, the DJ
- 10 told me that -- all the DJs said that they have to
- pay a club a portion of the tip outs, so I always
- 12 tip more than ten percent.
- 13 Q. Did you choose to do that?
- 14 A. I choose to tip more than ten percent, but it was
- required for me to tip at least ten percent.
- 16 Q. Okay. Let's just say you made a hundred bucks.
- 17 A. \$10.
- 18 Q. Right. You claim that \$10 was --
- 19 A. Required.
- 20 Q. -- what the minimum was?
- 21 What would you typically then tip out on a
- 22 hundred dollars?
- 23 A. 7 or \$8 more.
- 24 Q. So you would tip -- so you would choose to tip out
- 25 17 or 18 as opposed to 10?

- 1 A. Yes.
- 2 Q. And that was of your own free choice?
- 3 A. Yes.
- 4 Q. Were there other people who you tipped out?
- 5 A. The bartender, the house mom and the security.
- 6 Q. Did the bartender provide services to you?
- 7 A. Made drinks.
- 8 Q. And have you been to a bar other than The Follies or
- 9 an adult club?
- 10 A. No.
- 11 Q. Well, have you ever been to Starbucks?
- 12 A. Oh, yes.
- 13 Q. Some people make -- they make you drinks?
- 14 A. Yes.
- 15 Q. I see that you have one. That's why I asked you.
- 16 A. Yes, yes.
- 17 Q. When you bought that coffee or whatever drink that
- 18 you were drinking, did you throw some money in the
- 19 change drawer?
- 20 A. No.
- 21 Q. Was that your choice?
- 22 A. Yes.
- 23 Q. You understand it's typical that when people provide
- 24 you service like waiters or waitresses, bartenders,
- 25 that it's typical to tip?

- 1 A. Yes.
- 2 Q. Did you tip the bartender?
- 3 A. Whenever they made me a drink, yes.
- 4 Q. Was that of your own free will?
- 5 A. Yes. As far as tip out, I had to tip at least \$5
- 6 every day, though --
- 7 Q. Did you --
- 8 A. -- before I leave and they would sign a sheet saying
- 9 that I tipped it.
- 10 Q. Did you typically tip more than \$5?
- 11 A. No.
- 12 Q. That includes when they made you drinks?
- 13 A. No. I mean, if they make me a drink, then I'm going
- 14 to tip them then. But this is at the end of the
- night: Before I leave, I have to pay everybody.
- And when I pay the bartender, I give him \$5 and
- 17 that's it.
- 18 Q. Okay. And anybody else that you would tip?
- 19 A. The house mom.
- 20 Q. How much would you tip the house mom?
- 21 A. I tipped the house mom about -- to start, day shift,
- 22 it was 25.
- 23 Q. Okay.
- 24 A. Mid shift was 25, sometimes 15, depending on the
- 25 day. It's like on Saturdays for the drink tickets,

- 1 the price went up.
- 2 Q. So let's talk about some of this stuff. So you said
- 3 you would tip the house mom?
- 4 A. Yes.
- 5 Q. What would the house mom do for you?
- 6 A. Provide feminine products, watch over our
- 7 belongings.
- 8 Q. Did she bring -- was there food and drink back
- 9 there?
- 10 A. Yes.
- 11 Q. Were there other types of -- other than feminine
- 12 products, other types of products that she would
- supply to you?
- 14 A. Just like little trinkets that we might need; burn
- 15 cream, stuff like that.
- 16 Q. Did you have to pay for that?
- 17 A. No. That was just like you should tip her.
- 18 Q. So it was just like you should tip her?
- 19 A. Right.
- 20 Q. And in exchange for whatever you tipped her, you got
- 21 all these free products?
- 22 A. Pretty much, yes.
- Q. And services, right? She'd help you with your hair?
- 24 A. Yes, yes, yes.
- 25 Q. And so in exchange for her providing those services

- 1 to her -- to you, you would tip her?
- 2 A. Yes. I mean, there was a house mom fee, but we were
- 3 still supposed to tip, I guess, if you want to.
- 4 Q. Let me ask you: Was there a schedule of tips in
- 5 writing anywhere?
- 6 A. A schedule of tips in writing?
- 7 Q. Where all these tips that you said that you were
- 8 required to pay out were labeled anywhere?
- 9 A. No. We had see ya passes. When you go to the DJ,
- 10 you pay him. He marks it. When you go to the
- 11 bartender, you pay them, they mark it. That's all
- we had.
- 13 Q. That's not my question.
- 14 A. Did Follies keep up with their records as far as --
- 15 Q. Ma'am, ma'am --
- 16 A. -- if our -- their independent contractors tipped
- out every day? Do they have that type of
- 18 information?
- 19 Q. Ma'am, that's not my question to you. My question
- 20 to you is this: And listen carefully.
- MR. LUCAS: The first part was responsive,
- 22 but --
- 23 Q. Listen carefully. Did you see anywhere a schedule
- of these required tips that you say that you made?
- 25 A. Oh, yeah, I was made to sign some paperwork that had

1		a list of all the fees and what time this fee was
2		going to be that, and I did sign something like
3		that, but I'm not sure what it was because I was
4		required to sign it or my job would be ended.
5	Q.	Okay. Well, when you showed up there the first day,
6		you filled out some paperwork after you showed back
7		up with your permit, didn't you?
8	A.	No, I didn't sign any paperwork. When I signed this
9		paperwork, this was right before I got terminated
10		when I signed this paperwork.
11	Q.	Right before you got terminated is when you signed
12		this paperwork, huh?
13	A.	I signed some contract right before not too long
14		before I got terminated.
15	Q.	Okay. Any other paperwork that you signed right
16		before you got terminated?
17	A.	If I signed anything, then it was because I was
18		forced to sign it or my job was terminated.
19	Q.	Forced to sign it because your job
20	A.	Forced to sign it because I need to work. And if I
21		didn't sign it, yes, my job would have been
22		terminated.
23	Q.	Did someone hold a gun to your head?
24		MR. LUCAS: I'm going to object to the
25		form of the question.

- 1 Α. This is crazy.
- 2 0. No, no, it's not crazy. Did somebody hold a gun to
- 3 your --
- 4 Nobody put a gun to my head. But if I needed to Α.
- work -- I needed to work. 5
- 6 Okay. Ο.
- 7 Α. And it was, You sign this paperwork or you can't
- 8 work here anymore.
- Was there a McDonald's down the street? 9 0.
- 10 Α. Yes.
- Was there a Macy's down the street? 11 0.
- 12 And I could have gone to any one of them, but Α. Yeah.
- 13 I chose to stay at Follies.
- 14 Ma'am, listen to my question. I know you want to be
- 15 argumentative.
- 16 I don't. Α.
- Listen to my question. Remember, I told you very 17
- 18 This process, I get to ask the questions.
- 19 You get to answer them.
- 20 Α. Okay.
- 2.1 If there is anything that you don't think I've asked
- 22 you, you can speak to your lawyer. He can ask you
- 23 any question he wants when I'm done. This is my
- 24 opportunity to ask you questions.
- 25 I'm answering them. Α.

- 1 Q. So listen to me. Okay?
- 2 A. Okay.
- 3 Q. Did anybody force you to work at The Follies?
- 4 A. No.
- 5 Q. Did you choose to work at The Follies of your own
- 6 free will?
- 7 A. Yes.
- 8 Q. Prior to signing any paperwork at The Follies --
- 9 A. Yes.
- 10 Q. -- did you make a conscious decision that you wanted
- 11 to continue your employment, or whatever it was,
- 12 your relationship with the club?
- 13 A. Say that one more time.
- 14 Q. Prior to signing any of the paperwork that was
- presented to you, okay, did you make a conscious
- decision that you wanted to sign the paperwork and
- 17 continue with your relationship at The Follies?
- 18 A. No. It was like I came to work, and it was, You
- have to sign this now or you can't work here
- anymore. So I don't even know what I signed.
- 21 Q. So it was either you have to sign it or you are not
- allowed to continue to perform here?
- 23 A. Yes, and that's with my right hand up.
- 24 Q. Did you decide that it was worth it to continue your
- employment at Follies?

- 1 A. Yes.
- 2 Q. And sign the documents?
- 3 A. Yes.
- 4 Q. Okay. So if you decided that you didn't want to
- sign the documents, you had the choice to go and
- 6 cease your working at The Follies?
- 7 A. Yes.
- 8 Q. And those were the choices that you had, correct?
- 9 A. Correct.
- 10 Q. Okay. Prior to walking in that day, had you -- had
- they called you and said, Tiara come in?
- 12 A. No.
- 13 Q. Okay. Did they know you were coming in?
- 14 A. No.
- 15 Q. Did they know if you were going to come in the day
- 16 before or the day after?
- 17 A. No.
- 18 Q. Did they know that -- if you were going to come in
- 19 the week after or the month after?
- 20 A. No.
- 21 Q. You could have gone and left Follies any time you
- 22 wanted, right?
- 23 A. Yes.
- 24 Q. And you could have returned any time you wanted?
- 25 A. Yes.

- 1 Q. When you worked, by the way, at this telemarketing
- 2 company, did you have that same freedom?
- 3 A. No.
- 4 O. You had a schedule?
- 5 A. Yes.
- 6 Q. You had to be there at certain times?
- 7 A. Yes.
- 8 Q. And they told you when you could come?
- 9 A. Yes.
- 10 Q. It wasn't the same at The Follies?
- 11 A. Yeah, but that's the only thing that was different
- than anything else, that they didn't have a
- 13 schedule. But other than that, I had to pay tip
- outs. I had to do everything else just like -- you
- are trying to say whatever you are trying to say. I
- 16 don't know.
- 17 Q. Okay.
- 18 A. But --
- 19 Q. Well, was there a list of rules up anywhere?
- 20 A. Yeah, there was.
- 21 O. What were the rules up?
- 22 A. You can't be in dressing room for more than 15
- 23 minutes. That was one of the rules.
- 24 Q. Any other rules?
- 25 A. No drug activity.

- 1 Q. Okay. Let me show you what was marked yesterday as
- 2 Exhibit 10.
- Yeah, this was picked up after Onyx got their 3 Α.
- settlement. 4
- 5 Was that one of the -- one of the signs that you 0.
- 6 were talking about and one of the rules?
- 7 Α. This is a new rule. This is something that was done
- 8 not -- well way into my job there.
- Exhibit 4 from yesterday, is that one of the things? 9 0.
- 10 Α. Yes.
- 11 Exhibit 5, was that the other sign that you are 0.
- referring to? 12
- 13 This is the same sign right here. Α.
- So these are the rules that you are talking about? 14 0.
- 15 Α. Some of them.
- 16 What other rules did you see in writing? Ο.
- 17 Α. I don't know. It was a big -- it was a big list of
- 18 rules in there. I don't remember what they were.
- 19 Let me show you something. I'll just ask you --0.
- 20 show you exhibit -- was there a big list of rules?
- 2.1 Yeah, it was a big list of rules that they put up Α.
- 22 right after -- around the time that they put all
- 23 this stuff up.
- 24 What was on that list of rules? 0.
- 25 No prostitution. That's the only one I remember. Α.

- 1 Q. Any other rules that you can remember that they put
- 2 up?
- 3 A. No drug usage.
- 4 Q. Okay. Anything else?
- 5 A. No, not really.
- 6 Q. Okay. So as I understand it, the rules that you
- 7 understood there to be was no drug usage?
- 8 A. Yes.
- 9 Q. No prostitution?
- 10 A. Yes.
- MR. LUCAS: Your question was what rules
- 12 did they have posted?
- MR. RUBIN: That's what I'm asking.
- 14 Q. No drug usage, no prostitution, can't stay in the
- locker room for more than 15 minutes. Anything
- 16 else?
- 17 A. I can't recall.
- 18 Q. Those are the only four rules that you are aware of?
- 19 A. That I can think of.
- 20 Q. Okay. So don't break the law was the first two; no
- 21 drugs or prostitution, right?
- 22 A. Correct.
- 23 Q. Don't stay in the locker room for more than 15
- 24 minutes?
- 25 A. Correct.

- 1 Q. And anything else?
- 2 A. I don't know.
- 3 Q. Was this the sign -- just -- I'm sorry. I'm going
- 4 to show you what was marked as Exhibit 6. The zero
- 5 tolerance dealing with illegal drugs?
- 6 A. No. That's been in there.
- 7 Q. So those are the only rules that you ever saw?
- 8 MR. LUCAS: Posted.
- 9 MR. RUBIN: Posted.
- 10 A. Yes.
- 11 Q. So were there any other written rules that you are
- 12 aware of?
- 13 A. See, like I don't understand. Like this whole thing
- is null and void. It says right here, "Pay all fees
- at the beginning of shift." So like everything that
- 16 -- that's your whole case right there.
- 17 Q. Ma'am, when you came to the club, did you have an
- agreement with the club as to what you were going to
- do and what they were going to do?
- 20 A. I was going to get my permit and then I was going to
- 21 work in that club. That was the agreement.
- 22 Q. When you showed up the very first day --
- 23 A. Yes.
- 24 Q. -- okay, did they tell you they were going to pay
- 25 you a wage?

- 1 A. No.
- 2 Q. Did they tell you that you were going to have to pay
- 3 them money?
- 4 A. Yes.
- 5 Q. Okay. That you would pay them money, and for paying
- 6 them that money, you would have the right to
- 7 perform?
- 8 A. Yes.
- 9 Q. Okay. Did you have any other agreement with the
- 10 club?
- 11 A. None.
- 12 Q. Okay. So you knew when you showed up every day, you
- made a choice to pay a wage, right?
- 14 A. Yes.
- 15 Q. To pay the club?
- 16 A. Yes.
- 17 Q. And that for that payment, you would have the
- opportunity to sell your services to customers?
- 19 A. Yes.
- 20 Q. And retain the fees that those customers pay you?
- 21 A. Yes.
- 22 Q. Okay. So in exchange for whatever the hundred bucks
- or so you paid a day, you would get the right to
- 24 sell your services. And if you worked six days a
- week, just say roughly 600 bucks, you'd make -- you

- 1
- 2 A. Correct.
- 3 Q. So you were making a profit of about a week?
- 4 A. Uh-huh.
- 5 Q. Okay.
- 6 A. Yes.
- 7 Q. That was the only deal that you had?
- 8 A. Yes.
- 9 Q. And the day that you -- every day that you chose to
- 10 come back there, you knew what the deal was, right?
- 11 A. Yes.
- 12 Q. It wasn't that it was changing, right?
- 13 A. Right.
- 14 Q. You made a conscious decision to show up every day?
- 15 A. Yes.
- 16 Q. They had made the same deal with you, right -- well,
- 17 strike that.
- Did anybody tell you they were going to pay you
- 19 tip minimum wage?
- 20 A. They were going to pay me?
- 21 Q. Yes, ma'am.
- 22 A. No, nobody told me they were going to pay me
- anything.
- Q. Did anybody tell you they were going to pay full
- 25 minimum wage?

- 1 A. No.
- 2 Q. Anyone tell you they were going to pay you a salary?
- 3 A. No.
- 4 Q. So you knew the deal, didn't you?
- 5 A. Of course.
- 6 Q. It wasn't a surprise to you?
- 7 A. No.
- 8 Q. And you already told me that if they said the deal
- 9 was seven and a quarter, it would have been a far
- 10 worse deal?
- 11 MR. LUCAS: Objection. Calls for
- 12 speculation. Go ahead.
- 13 A. No. They didn't give me that option. Follies
- 14 didn't give me that option.
- 15 Q. They didn't give you that option, but knowing how
- 16 much money you made --
- 17 A. If I wanted 7.25 an hour, I could have walked down
- 18 the street, like you said, and got that.
- 19 O. At McDonald's?
- 20 A. Yeah. But it's pretty much a -- not that situation
- there.
- 22 Q. Okay. And so at McDonald's you don't have the
- opportunity to make bucks a week either, do
- 24 you?
- 25 A. Nope.

- 1 Q. There aren't many jobs where you can make
- а

- 2 year at your age?
- 3 MR. LUCAS: Objection. Calls for
- 4 speculation. Go ahead and answer, if you know about
- 5 every job in the country and how much they pay.
- 6 A. Yes, I do.
- 7 Q. Not many jobs that you can make that kind of money,
- 8 are there?
- 9 A. There probably are, actually, if you get creative.
- 10 Q. Not many for sure?
- 11 A. I'm not going to say that because there probably
- 12 are, if you were creative.
- 13 Q. So you show up, you make this deal, and they explain
- to you whatever the fees that you understood there
- to be for all these tip outs, right?
- 16 A. Uh-huh.
- 17 Q. Is that a yes?
- 18 A. Yes, that's a yes.
- 19 Q. And every day you showed back up, you knew that deal
- 20 too?
- 21 A. Yes.
- 22 O. And every day you showed up, you chose to come to
- 23 this place as opposed to anywhere else?
- 24 A. Yes.
- 25 Q. And live up to those portions of the agreement?

- 1 A. Yes.
- 2 Q. Did Follies ever not do something that they promised
- 3 you they wouldn't do?
- 4 A. They didn't promise me anything.
- 5 Q. Was there anything that Follies told you that they
- 6 were going to do that they didn't do?
- 7 MR. LUCAS: I'm going to object to the
- 8 form of the question, but go ahead.
- 9 A. I don't know.
- 10 Q. Anything that you can recall?
- 11 A. No.
- 12 Q. So for example, they told you that if you wanted to
- show up and lease space, you could do so if you paid
- 14 a fee?
- 15 A. They didn't tell me that. It was just understood.
- 16 Q. Okay. In any event, was there ever a day that you
- showed up that they told you that you couldn't pay a
- 18 fee and work --
- 19 A. No.
- 20 Q. -- or perform? Okay.
- 21 Was there ever -- they never -- did they ever
- tell you that one of the benefits of working there
- is that they didn't schedule people?
- 24 A. No.
- 25 O. Did they ever call you up and say, Get in to work?

- 1 A. No.
- 2 Q. Did they ever tell you that there were any
- 3 requirements other than the payment of the fees that
- 4 you had to perform there?
- 5 A. No.
- 6 Q. Did they ever tell you what it is that you had to
- 7 wear?
- 8 A. Yes.
- 9 Q. What did they tell you you had to wear?
- 10 A. G-string, then it got to the point we had to wear
- 11 bottoms on the floor. One time I had put on some
- 12 like blue jeans shorts, and I was made to remove
- them and put on my thong and bottom.
- 14 Q. Do you know why that may have been?
- 15 A. Because we had to be in dance attire on the floor.
- 16 Q. So other than wearing dance attire on the floor, was
- there any requirements about the clothing that you
- wore?
- 19 A. I put on tennis shoes once and got scolded at.
- 20 Q. Was tennis shoes dance attire?
- 21 A. No.
- 22 Q. Other than wearing dance attire of some sort, were
- there any requirements about the clothing that you
- 24 wore?
- 25 A. No.

- 1 Q. Did they tell you what kind of dance attire to wear?
- 2 A. No.
- 3 Q. Did they tell you what color it should be?
- 4 A. No.
- 5 Q. Did they tell you how much to spend on it?
- 6 A. No.
- 7 Q. Where to buy it?
- 8 A. No.
- 9 Q. Did it have logos on it?
- 10 A. No, none of that.
- 11 Q. You can buy anything you wanted and wear anything
- 12 you wanted as long as it fit within the general
- 13 requirement of dance attire?
- 14 A. Yes.
- 15 Q. Other than not wearing tennis shoes, any other rules
- 16 about shoes?
- 17 A. No.
- 18 Q. So other than you can't wear tennis shoes, they told
- 19 you you could wear anything you wanted?
- 20 A. Yes.
- 21 Q. And that was only once. On other occasions did you
- 22 wear tennis shoes?
- 23 A. No. I didn't usually do that. I just hurt my foot
- that day.
- 25 O. Okay. Any other clothing requirements other than

- wear some sort of dance attire, and on one occasion,
- 2 don't wear tennis shoes?
- 3 A. No.
- 4 Q. Okay. Any other requirements about when you had to
- 5 be at work?
- 6 A. No requirements.
- 7 Q. You chose when you wanted to show up for work?
- 8 A. The only thing is, the later that you are, the more
- 9 tip out is.
- 10 Q. So the later you are -- it was really how long you
- 11 worked, right, is how much you would pay?
- 12 A. No. It's a set fee, and then the later that I got
- there is \$20 every ten minutes that I was late.
- 14 Q. So it's not \$20 -- well, you didn't -- so for
- example, if you were there at 11 o'clock, how much
- 16 would it cost you?
- 17 A. It depends on what time that shift starts. What
- 18 time is night shift, 8 o'clock?
- 19 Q. It would cost you \$20 every --
- 20 A. That's how much they charged me. They would charge
- 21 me \$20 every ten minutes I was late.
- 22 Q. So if you were an hour late, they would charge you
- 23 \$1800?
- 24 A. No. They stop it at a certain -- like after \$85 or
- something like that. That's the max, but --

- 1 Q. Did they have a schedule that you ever saw of rent
- 2 charges?
- 3 A. Write charges?
- 4 Q. Rent, entertainment charges?
- 5 A. That paperwork I signed. Whatever I signed, it had
- on there how much everything cost.
- 7 Q. Let me show you what's marked as Exhibit 2. Why
- 8 don't you take a look at that and tell me if that
- 9 fits within your recollection of what the various
- 10 charges were.
- 11 A. No, this isn't right.
- 12 Q. What's not right about that?
- 13 A. Like this is saying at 11 o'clock it's \$30. It was
- 14 \$25 to come in there.
- 15 Q. Okay.
- 16 A. It was always \$25 at the beginning of the shift, and
- then like every ten minutes it would go up \$20.
- 18 I've never made it past \$80.
- 19 Q. Every ten minutes it would go up \$20?
- 20 A. Yeah.
- 21 Q. So the schedule there you are saying is inaccurate?
- 22 A. Yeah, this -- this is not right.
- Q. So it wasn't that if you showed up at 11:00 or
- before 12:00 it was 30, and then if you showed up
- after that it was more? So for example, if your

- shift ended instead of at seven, but it ended after
- eight, you would pay 40?
- 3 A. No. You pay based off of what time you get there.
- 4 Q. Okay. It wasn't what time you get there and what
- 5 time you leave?
- 6 A. No. If you stay longer, then you pay another shift.
- 7 Q. Okay.
- 8 A. But it was -- but your fee is going to be based on
- 9 what time I get there. It's 11 o'clock. I'm
- supposed to be there at 11 o'clock. I get there at
- 11 11:20. They then charge me 40 more dollars on top
- 12 of 25.
- 13 Q. What did they charge you?
- 14 A. Whatever 40 bucks --
- 15 Q. They charged you \$65?
- 16 A. \$65 to work, yeah.
- 17 Q. And if you wanted to pay less than that, you would
- show up before 11:00?
- 19 A. Yeah, I show up on time.
- 20 Q. Okay. And you knew that if you showed up later, it
- 21 would cost you more?
- 22 A. Yeah.
- 23 Q. Okay. And you made those decisions?
- 24 A. Yes.
- 25 Q. And nobody -- all you knew is that you would pay --

- 1 you would have to pay more money if you came later?
- 2 A. Exactly.
- 3 Q. Okay. And if you came earlier, you would pay less
- 4 money?
- 5 A. No. It was \$25 off the jump.
- 6 Q. Less money if you came earlier, more money if you
- 7 came later?
- 8 A. Correct.
- 9 Q. That's what you knew?
- 10 A. Correct.
- 11 Q. And you knew that every day you showed up?
- 12 A. Yes.
- 13 Q. And you picked the time that you would show up?
- 14 A. Yes.
- 15 Q. So you picked the time -- you picked the amount of
- money that you would be paying based upon the time
- that you decided to show up?
- 18 A. Yes.
- 19 Q. If you wanted to make more money that day, you could
- show up earlier, right?
- 21 A. Yes.
- 22 Q. If you wanted to -- if you were having a great week,
- you could show up at midnight, maybe work a couple
- of hours and leave?
- 25 A. Yes.

- 1 Q. Okay.
- 2 A. Well, no, no.
- 3 Q. Or not at all?
- 4 A. No, no. I mean, the only way you could leave, if
- 5 you wanted to work a couple of hours and do that, is
- if you got permission, then that was \$20.
- 7 Q. Did somebody physically hold you back from leaving?
- 8 A. Yes.
- 9 Q. Who held you back from leaving?
- 10 A. If I wanted to leave -- well, no. Okay. If I
- wanted to leave early, then I had to get permission.
- 12 If I wasn't -- if I wasn't granted this permission,
- then I couldn't leave. And I mean, if I wanted to
- 14 keep my job, then I didn't leave.
- 15 Q. Okay. Who told you -- who ever told you that you
- 16 weren't allowed to leave?
- 17 A. Every manager except Jim. Jimmy and Jim have never
- once told me that I couldn't leave, but I never
- 19 asked them either.
- 20 Q. Anybody that you asked who told you that you
- 21 couldn't leave?
- 22 A. Yeah, Cain told me I couldn't leave. Stevie B. told
- 23 me I couldn't leave one time.
- 24 Q. Anybody else?
- 25 A. Steve Shine wouldn't let me leave one time.

- How many times in total did they tell you that you 1
- 2 weren't allowed to leave of the -- all these times
- that you worked there? 3
- 4 The only times I really wanted to leave early was Α.
- 5 when I got twisted.
- Once? 6 0.
- 7 Α. No.
- 8 Q. Twice, three times?
- 9 Α. Probably like ten or so times.
- 10 And that was when you were drunk? 0.
- 11 Yes, and I needed to go. Α.
- And did you drive there? 12 0.
- 13 There were times that I did drive, but I didn't Α. No.
- 14 really drive.
- 15 Okay. Did you not being able to go, have anything
- 16 to do with your alcoholic -- your level of
- intoxication? 17
- 18 No, because everybody knew that I had a boyfriend
- 19 who came and picked me up every day. It was because
- 20 my shift wasn't over and I had to stay to finish my
- 21 shift.
- 22 Who told you that? Q.
- 23 Α. Cain.
- 24 Cain told you you had to stay to finish your shift
- 25 how many times?

- Probably -- the most probably about eight or so 1 Α.
- 2 times because he's the main one that I used to ask.
- 3 Anybody else tell you? 0.
- Steve told me I couldn't leave once and then --4 Α.
- Steve Shine? 5 0.
- Yes. And Stevie B. told me I couldn't leave once. 6 Α.
- 7 O. Stevie who?
- 8 Α. Stevie B. He's in one of these pictures. Cain's
- brother, he told me I couldn't leave one time. 9
- 10 Now, how old were you when you worked there?
- 11 I started there at 18. Α.
- And how old were you when you stopped working there? 12 0.
- 13 19 or 20. Α.
- Can you read, write and understand the English 14
- 15 language?
- 16 Yes. Α.
- 17 MR. RUBIN: Can you mark this?
- (Exhibit 11 marked for identification.) 18
- 19 I've showed you what I've had marked as Exhibit 11.
- 20 Is that the document you referred to?
- 2.1 MR. RUBIN: I'm going to hand you a copy
- 22 I'm sorry. I thought I had it right in of it.
- 23 front of me.
- 2.4 This was already marked MR. LUCAS:
- 25 yesterday.

1	MR.	RUBIN:	Ιt	may	be.
---	-----	--------	----	-----	-----

- 2 MR. LUCAS: Yeah, this was -- oh, maybe it
- wasn't. 3
- MS. NORDSTROM: I don't think it was. 4
- 5 BY MR. RUBIN:
- I'm showing you what I've had marked as 6 0. Okav.
- 7 Exhibit 11. Have you seen that document before?
- 8 Α. I don't recall. I signed the entertainer contract
- and arbitration policy document, yeah, but I don't 9
- remember what I stated or what it resembled. 10
- 11 Have you ever read it since? 0.
- I've read it recently. 12 Α.
- 13 Did you ever read it at any time after you signed Q.
- 14 it?
- 15 Α. No, I never had a copy of it.
- 16 Did you ever ask for one? 0.
- I did. 17 Α.
- 18 Did somebody tell you you couldn't have one? Ο.
- 19 Α. Yep.
- 20 Q. Who?
- 2.1 Α. Abby.
- 22 Q. Who is Abby?
- 23 Α. The house mom.
- She told you you couldn't have it? 24 Q.
- 25 Well, they didn't have it to give to me.

- Did you ever send in something that I revoke 1 Q. Okay.
- 2 my agreement?
- I don't know what I signed. That's what I'm trying 3 Α.
- 4 to say. I don't know what I signed.
- 5 But you know -- you do recall it had prices on it? 0.
- 6 Α. Yes.
- 7 So this is -- I'm going to show you just a document
- 8 that's been attached to your demand in this case for
- arbitration and ask you if this is the entertainer 9
- 10 agreement that you signed?
- 11 Where is my contract? Α.
- I'm asking you -- this is the one that is attached 12 0.
- 13 to --
- 14 I don't know. I don't know what -- no, I don't
- 15 remember signing anything that had all this
- 16 information on it.
- 17 Q. This is for arbitration.
- 18 Α. Okay.
- 19 This is a document your lawyer attached to the
- 20 arbitration demand. Okay?
- 2.1 This is not signed by you. MR. LUCAS:
- 22 I don't remember signing anything that looked like Α.
- 23 this.
- 24 Is this the document that you signed?
- 25 I've never seen that. Α.

- You've never seen what is referred to as -- or 1 0.
- 2 what's called WBY, Inc. --
- I'm not going to agree to that because I don't know. 3 Α.
- Let me finish my question, please. 4 Q.
- 5 I don't know is my answer to your question. I know Α.
- 6 what you are going to ask me.
- 7 I don't care if you know what I'm going to ask you. Q.
- 8 Please let me ask my questions.
- 9 Α. Okay.
- 10 And then you can answer them. 0.
- 11 Α. Okay.
- Did you sign a document called "WBY, Inc.'s d/b/a 12
- 13 The Follies Entertainment Contract"?
- 14 I don't know. I don't know what it was called or Α.
- what was on the document. 15
- 16 Okay. So this is a document that was attached to 0.
- your claim in arbitration. Can you tell me whether 17
- 18 or not a similar document is one to which you
- 19 signed?
- 20 Α. No. I signed something where it said name, Social
- 2.1 Security number, and that was all on the back piece
- 22 of the paper.
- 23 Did you sign an arbitration policy that's
- 24 attached --
- 25 Α. Yes.

- 1 Q. -- to your complaint?
- 2 Α. I did.
- Okay. And is this -- this is a document that you --3 0.
- I didn't sign. 4 Α.
- 5 0. -- did sign?
- I signed this sheet right here. That sheet right 6 Α.
- 7 there is what I signed.
- This sheet is an attachment to the entertainment 8 Q.
- arbitration agreement. Okay? 9
- 10 Uh-huh. Α.
- 11 So you signed the arbitration agreement; you don't 0.
- 12 dispute that, right?
- 13 No. Α.
- 14 You filled out this form here? 0.
- 15 Α. Yes.
- 16 Okay. Are there any other documents that you recall
- 17 signing?
- 18 No. Α.
- 19 Okay. So you didn't sign the entertainer contract, 0.
- 20 but you did sign the arbitration agreement?
- 2.1 I don't know. I don't know what I signed. Α.
- 22 Q. I'm trying --
- 23 MR. LUCAS: You are mischaracterizing what
- she said. 2.4
- 25 I'm trying to understand what MR. RUBIN:

- 1 she's saying.
- 2 What I'm saying is that I was given paperwork.
- 3 don't recall what was on that paperwork, and I
- signed it. 4
- 5 Okay. Q.
- So all your specifics to that, I don't know, and 6
- 7 it's going to be that every time.
- 8 Q. Okay. Well, I'm going to keep on asking you the
- 9 questions.
- 10 Well, you are going to keep getting the answer.
- 11 Q. Just give me an answer to my question --
- 12 Α. Okay.
- 13 -- without giving me these lengthy --Q.
- 14 Α. Okay.
- 15 Q. -- explanations --
- 16 Α. Okay.
- 17 -- so I can just have a record of what it is --Q.
- 18 All right. Α.
- 19 -- that I understand you to say. Ο.
- 20 Α. All right.
- 2.1 See this document? 0.
- 22 Α. Yes.
- It's your arbitration demand. It's your claim in 23 Ο.
- 24 arbitration.
- 25 Α. Yes.

- It's what you claim occurred in this case. 1 Q.
- 2 Α. Okay.
- Okay. To that you attached a document that says 3 Ο.
- "WBY, Inc. The Follies." 4
- 5 Okay. Α.
- Your copy is unsigned. This is what you attached. 6 Ο.
- 7 MR. LUCAS: That's what your lawyers
- 8 attached.
- My question to you is, do you recall ever seeing 9
- 10 this document before?
- 11 MR. LUCAS: Objection. Asked and
- answered. Go ahead. 12
- 13 I don't recall. Α.
- Okay. You are not saying that you didn't sign it; 14
- 15 you are saying you don't recall whether you signed
- 16 it?
- 17 Because I -- the only place that I remember signing
- 18 is this right here, and that's -- that is my
- 19 testimony.
- 20 Okay. Let me go through these documents, please. Q.
- 2.1 So I can understand for the record what it
- 22 is.
- 23 MR. LUCAS: I don't know what you don't
- 24 understand.
- 25 It's like you keep asking the same guestion.

		•
1		the same document. I don't know what I signed. I
2		signed this paperwork right here. This right here,
3		I signed.
4		MR. LUCAS: So the record reflects, it's
5		the
6		MR. RUBIN: It's got no signature on it.
7		MR. LUCAS: It has no signature on it.
8		It's got no Bates stamp number on it. It is the
9		last page of the employment arbitration rules demand
10		that counsel has shown the witness.
11		BY MR. RUBIN:
12	Q.	So where did you sign this form? Do you recall
13		where on the document you may have signed it, since
14		it doesn't have a signature block?
15	A.	This right here? This was just this was the last
16		page. It was just like this.
17	Q.	It was the last page to the arbitration agreement
18	A.	Yes.
19	Q.	which is what I was asking you before you
20		interrupted me. Is this
21	A.	I already told you that I signed that.
22	Q.	We're going to go through this all day if you keep
23		this up, ma'am. So let's
24	A.	We can go at it all day.
1		

MR. LUCAS:

Don't threatened the witness.

25

- I got all day. I got all day. 1 Α.
- 2 Ο. I got all day, too.
- Well, let's do it. 3 Okay. Α.
- So we already talked about the entertainment 4 Q. Okay.
- 5 contract. The next document attached to your
- 6 pleading is the arbitration policy.
- 7 Α. Yes.
- 8 This document which has a signature block on
- what is page 3 of 3, you did sign? 9
- 10 I don't remember signing that.
- 11 So this is the document you've just been yelling at 0.
- me about telling me that you signed. 12
- 13 I don't remember it. The only thing I remember is Α.
- 14 I remember clear as day filling this
- 15 information out and signing it. That is all I
- 16 remember.
- 17 Did you sign it on a page that was similar to page 3
- of 3? 18
- 19 It was on the back of all of the paperwork just like Α.
- 20 this by itself, and I flipped it over, I signed it,
- and I turned it in. 21
- 22 Any other documents you recall at any time
- 23 signing at the club?
- 24 That's the only document I ever signed working at Α.
- 25 Follies.

- Is there another document you recall seeing 1 Okay.
- 2 that had prices on it other than what is the
- 3 entertainer contract because that's what you said --
- I thought you said --4
- It was all attached to the same thing. It had the 5 Α.
- prices on it with the rules and the arbitration 6
- 7 agreement, and I signed it.
- 8 Q. There were rules attached to whatever contract you
- 9 purportedly had signed?
- 10 Yeah. Α.
- 11 And those rules were the four that we talked about? 0.
- 12 I don't remember what rules were on there. Α.
- 13 You don't remember at all what the rules were? Q.
- 14 The rules that I told you about were the rules that Α.
- 15 I put up in the club. They were these that were
- 16 They were not the rules that were on this
- 17 agreement that I signed.
- 18 What other rules do you recall being on the
- 19 agreement?
- 20 Α. I don't remember because I don't know what I signed.
- 2.1 Okay. So whatever it was that you signed, you don't 0.
- 22 know what it is because you didn't read it?
- It was, sign 23 No, I wasn't given the opportunity to.
- 24 it now or you can't work here. Literally like that:
- 25 The way that I'm giving it to you was the way it was

- 1 given to me.
- 2 0. Who told you?
- 3 Cain. Cain was the one who came out with them, and Α.
- 4 Abby was the one who enforced us to sign them. And
- 5 before we checked in and signed in that day, we had
- 6 to sign these contracts.
- 7 Okay. So Cain would have been the manager on duty Q.
- 8 the day that you signed whatever the
- agreement -- well, you just pointed to this 9
- entertainment contract. Did you sign the 10
- 11 entertainment contract on the same day?
- 12 I don't know what --Α.
- 13 MR. LUCAS: Objection. Asked and
- 14 answered.
- MR. RUBIN: Hold on. 15
- 16 Did you sign the entertainment contract on the same 0.
- 17 day you signed the arbitration agreement?
- 18 It was all put together, yes. It was all in the Α.
- 19 same paperwork. Whatever it was that I signed was
- 20 all together. The entertainment contract, the wages
- 2.1 and hours for tip out, the rules and the arbitration
- 22 agreement, it was all stapled together and on the
- 23 back of it, this page, was right here and I signed
- 24 this, and I handed it to the house mom. And I asked
- 25 for a copy of it, and I was not granted that wish.

- What shift does Cain work? 1 O.
- 2 Α. Night shift.
- What shift does Abby work? 3 0.
- Day shift. Abby was I think leaving at that time or 4 Α.
- 5 she had stayed over. I don't remember what
- 6 happened, but I remember Cain giving me the
- 7 paperwork and I turned it in to Abby. I remember
- 8 that much.
- Okay. Cain gave you the paperwork and Abby 9 0.
- 10 collected it?
- 11 Α. Yes.
- 12 0. Okay.
- 13 MR. LUCAS: Can we take a break when you
- 14 have a chance?
- 15 MR. RUBIN: Absolutely, whenever you want
- 16 to take a break. Right now is fine.
- 17 (Recess.)
- (Exhibit 12 marked for identification.) 18
- 19 I'll show you what I've had marked as Exhibit 12.
- 20 This is another -- it's a photograph of some
- 2.1 documents that were posted at the club. And my only
- question to you is, did you ever see this document 22
- 23 at the club?
- 2.4 I don't recall. Δ
- 25 It's possible you did, possible you didn't?

- 1 Α. Yes.
- 2 0. Okay.
- I never seen this. "Entertainer is free to perform 3 Α.
- at other businesses." Okay. 4
- 5 This is a document that you've never seen? Q.
- Yeah, I didn't -- I didn't -- this is not true at 6 Α.
- 7 all because this is not true.
- MR. LUCAS: He didn't ask if it's true. 8
- 9 He asked if you've ever seen it, and I think you've
- 10 answered.
- 11 THE WITNESS: Yeah, okay. Well, maybe it
- 12 is now.
- 13 MR. LUCAS: He's not asking about whether
- 14 it's true or not.
- 15 THE WITNESS: Yeah, that's true because
- 16 maybe it is now. But when I was working there, it
- 17 wasn't.
- 18 BY MR. RUBIN:
- 19 Did you ever see any documents like Exhibit 12
- 20 posted at the club?
- 2.1 Possibly. Α.
- 22 Okay. Q.
- 23 Α. Not posted, no. There was no documents at all
- 24 posted there when I worked there.
- 25 So nothing was posted anywhere in the locker room?

1	Α.	No documentation was posted. There was signs just
2		like this that were posted there, but there was no
3		documents posted.
4	Q.	"This" and "that" doesn't translate very well, so if
5		you could just do me a favor
6	Α.	And be specific? Well, any type of entertainment
7		contract, arbitration form, anything of that nature
8		was not posted anywhere at Follies when I was there.
9	Q.	Okay. It's possible it was posted afterwards?
10	Α.	It's possible it was posted, but not when I was
11		there.
12	Q.	And you said things like what you saw is Exhibit 6,
13		I believe it is?
14	A.	Exhibit 6, Exhibit 4, these are the type of things
15		that were posted. These are the type of paperwork
16		that were posted when I worked there, yes.
17	Q.	Now, I'm going to show you what I'm going to have
18		marked as Exhibit 13.
19		(Exhibit 13 marked for identification.)
20	Q.	This is what I've marked as Exhibit 13. It is a
21		packet of documents.
22		MR. LUCAS: Just for the record, Allan, I
23		did pull this out. I think what you marked as
24		Exhibit 11 today is Exhibit 8 from yesterday.

MR. RUBIN: No worries.

25

1		MR. LUCAS: I want make to sure that the
2		record is clear. That's all. I thought I saw it
3		before, but I wasn't sure.
4		MR. RUBIN: I looked through the exhibits.
5		I didn't see it, so
6		MR. LUCAS: That's what I have. I could
7		be wrong, too. We'll know when we see this stuff.
8		MR. RUBIN: No worries.
9	Q.	I'm not going to ask you a lot of questions about
10		these documents. But just take a look at this
11		packet of documents and tell me if this is the type
12		of form you remember initialing when you worked
13		there when you performed there?
14	Α.	Yes.
15	Q.	Okay. Do you see that there is the name Climax
16		written there
17	Α.	Yeah.
18	Q.	on these documents?
19	Α.	Yes.
20	Q.	And there's some other stuff that's blocked out?
21	Α.	Yeah.
22	Q.	Does this seem to be the types of documents you
23		filled out when you worked there?
24	Α.	Yes, on at times, yes.

25

Q.

Okay.

- Well, I initialed. I didn't fill anything out. 1 Α.
- 2 Well, you said that you initialed it indicating it
- 3 was accurate?
- 4 Α. Correct.
- Do you ever recall initialing a form that you 5 0.
- did not believe to be accurate? 6
- 7 Α. Yeah. Probably the whole thing I signed, whatever
- 8 it was that I signed.
- I'm talking about Exhibit 13. 9 0.
- 10 I think that this is right. I believe No. Α.
- 11 it's right.
- 12 The tip out column there, that's the amount that you 0.
- 13 tipped out to the DJ?
- 14 Yes. Α.
- 15 0. Do you see where like on the page it's got a time
- 16 note 4:51; do you recall what that was referring to?
- 17 Α. Possibly when I clocked in.
- 18 Well, you didn't clock in because there weren't any Ο.
- 19 clocks to clock into, right?
- 20 Α. Okay. I didn't literally clock in, but the time
- 2.1 that I signed in, because I did literally sign in.
- 22 So this would have been -- so where it says
- 23 4:51, you think that that would have been the time
- 24 you signed it in?
- 25 That would be the only reason I could see a time in

- there. 1
- 2 On this first page is there anything that's yours
- 3 other than the initial?
- I don't even remember initialing that. 4 Α.
- 5 Does it look like your handwriting, though? 0.
- I usually did like a squiqqly, but it's possible 6 Α.
- 7 that I gave him some money and he put that in there
- 8 real quick and -- just to say that I gave him the
- 9 money, and that was it. It is possible that I
- 10 didn't initial it.
- 11 Do you see where -- if you go to a form, and it's 19 Ο.
- 12 on the bottom in the lower right-hand corner -- do
- 13 see these little numbers right here? On the bottom
- 14 here, one of them is going to have a 19 after it.
- 15 Α. I see it.
- 16 Okay. Does that look like the little squiggly that 0.
- 17 you would do?
- 18 Α. Yes.
- 19 If you turn to 21, there is another squiggly Okav. 0.
- 20 there. Does that look like the type of squiggly
- 2.1 that you would do?
- 22 Α. That looks more like my squiggly.
- 23 0. Okay. Now, when you worked more than one shift in a
- 24 day, would you squiggle and initial more than one of
- 25 these?

- 1 Α. No.
- 2 0. Okay.
- I would just pay the DJ and then go back on the 3 Α.
- floor. 4
- So when you -- so you only completed one of these, 5
- right and you initialed it -- did you initial it 6
- 7 when you came in or when you left?
- 8 Α. When we left.
- Okay. And it would have been accurate for whatever 9 0.
- 10 the amount was for that day?
- 11 Α. Approximately.
- Now, was there any place that you kept records of 12 Ο.
- 13 where and when you performed?
- 14 Α. No.
- Did you maintain a calendar like a door or wall 15 0.
- 16 calendar of any type?
- 17 Α. No.
- No computer calendar? 18 Ο.
- 19 Α. No.
- 20 Q. No calendar on your iPhone or iPad?
- 2.1 No. Α.
- 22 And you didn't track any income you received on a
- 23 day-to-day basis?
- 24 Α. No.
- 25 You didn't record any tip outs that you paid to

- people on a day-to-day basis? 1
- 2 Α. No.
- Okay. I don't want to know about any conversations 3
- you had with any lawyers, but did you ever seek tax 4
- 5 advice as to what you are supposed to do to maintain
- 6 your business records?
- 7 Α. No.
- 8 Okay. Did you ever go to like H&R Block or anybody
- 9 else like that and say, I want to file taxes, Tell
- 10 me what I need to keep?
- 11 Α. No.
- Did you ever go to anybody and ask that question? 12 0.
- 13 No. Α.
- Did you ever ask your parents? 14 0.
- 15 Α. No.
- 16 When you went to college, what were you studying at
- Stillman? 17
- Forensic science. 18 Α.
- 19 What about at -- I'm sorry. I know Stillman. Αt 0.
- 20 Savannah, same thing?
- 2.1 Yes. Α.
- 22 Did you ever take any business or accounting
- 23 classes?
- 24 I don't think I did, no. Α.
- 25 Did you ever take any in high school?

- 1 Α. No.
- Other than the lawyers involved with suing the 2
- 3 various clubs that you performed at, because I don't
- want to know about any of those conversations. 4
- 5 Okay?
- 6 Okay. Α.
- 7 At all. Okay. I just want to know if you ever Q.
- 8 consulted with a lawyer relative to your tax filing
- advice or tax filing requirements? 9
- 10 Α. No.
- 11 Did you ever seek any advice as to what types of 0.
- 12 records you were supposed to maintain if you were an
- 13 independent contractor?
- 14 No. Α.
- 15 Q. Or your own self-employed person?
- 16 No. Α.
- 17 Okay. Now, when did you first become -- strike Q.
- 18 that.
- 19 Were you involved in any other litigation?
- 20 Α. No, not other than what I told you.
- 2.1 So you weren't involved in any Onyx litigation? 0.
- 22 Α. No.
- Or any other litigation involving adult 23 0.
- 24 entertainment in Atlanta?
- 25 Α. No.

- Who would have records of -- strike that. 1
- 2 Were there any records of the date and times
- that you performed at Shooter's that you saw in 3
- connection with your litigation? 4
- 5 If they kept records. Α.
- 6 Did you see -- were there any records that you saw? 0.
- 7 Α. As far as --
- 8 Q. Dates and times that you performed at Shooter's?
- 9 Α. Yes.
- 10 What records did you see? 0.
- 11 They had a time book for when you signed in. Α.
- So if I wanted to know when you worked at Shooter's, 12 0.
- 13 I could look at that time book and would know?
- 14 Α. Yes.
- 15 0. The sign-in sheets that are Exhibit 13 that we
- 16 looked at, the DJ sheets, were there any --
- 17 Α. I mean it's just like this pretty much.
- 18 Okay. Ο.
- 19 It's the same. So if this is what you are talking Α.
- 20 about --
- 2.1 Q. No.
- 22 Α. -- it's pretty much the same thing.
- 23 0. So take a look at Exhibit 13. Were there any other
- 24 types of documents that you signed in or out on?
- 25 Α. No.

- But did you recall signing in or out on that 1 Q. Okay.
- 2 kind of document every day that you worked?
- Not every day. I didn't sign this every day. 3 Α.
- 4 How many times a week would you sign it? Q.
- 5 Α. Maybe five.
- So five days a week you wouldn't sign it? 6 0.
- 7 Α. I would. Maybe four or five. I don't really
- 8 recall. It was just sometimes like -- if I wasn't
- 9 rushing -- because usually I would be rushing to get
- 10 out the door. So I would be trying to pay everybody
- 11 real quick and get up out of there, so I mean --
- Was one of the requirements they had that you 12 0.
- 13 initial that?
- It was just like, Come here and initial this. 14 Α.
- 15 So it wasn't a requirement; it was just, Come here Q.
- 16 and initial this?
- 17 Α. Uh-huh.
- 18 You look at it for accuracy and initial it? Ο.
- 19 I didn't look at it. I just initialed it. Α.
- 20 Q. So you don't know if it was accurate or not?
- 2.1 It should have been. Α.
- 22 Okay. Now, when you worked at Shooter's, was it
- 23 similar to that?
- 24 It was just like, when you sign in at the door, you Α.
- 25 show the permit. And then they put on there your

- name and the time that you come in, and you leave --1
- 2 and you go on the floor.
- What would be the circumstances that you wouldn't 3 Ο.
- initial that document? 4
- 5 If I'm just running too fast or a day shift. Α.
- didn't sign this day shift. Like this is a night 6
- shift type of thing. When you are leaving -- when 7
- 8 you are trying to leave and get out of there -- this
- 9 is day shift. We didn't really do this.
- 10 You are sure you didn't do that on day shift?
- 11 I'm not sure that I didn't do it. I mean, I'm sure Α.
- 12 that Julian a couple of times had me probably
- 13 initial this once or twice, but this is not really a
- 14 day shift type of thing. This is more of at the end
- 15 of the night.
- 16 Do you know if there are day shift and night shift 0.
- 17 sheets in there that you've initialed?
- 18 Yeah, some of this is -- according to these times, Α.
- 19 some of them -- you know, I can't -- I can't really
- 20 tell you because I don't really -- I'm not a hundred
- 2.1 percent on this. I know when I could, I signed it.
- 22 If they were like, Hey, Climax, come here and sign
- 23 this, I signed it. That's pretty much one of those
- 24 things.
- 25 Okay. So the circumstances that you didn't sign it,

- were you were running around too busy to sign it? 1
- 2 Α. Yes, or I wasn't asked to sign it.
- 3 Well, every time you went to see the DJ as you were 0.
- 4 leaving, was that one of the things that you would
- 5 typically do?
- Yes, at nighttime. 6 Α.
- 7 Okay. And during the daytime you don't recall being Q.
- 8 asked do that?
- I think, yeah, I was a couple of times, but it 9 Α.
- 10 wasn't like -- at nighttime I think it was like
- 11 required-required.
- Now --12 0.
- 13 At mid shift you don't sign anything like this. Α.
- 14 Well, mid shift -- what's mid shift? What is day 0.
- shift? 15
- 16 Day shift is 11:00 to 8:00. Mid shift is 4:00 to Α.
- 17 12:00. Night shift 8:00 to 4:00.
- 18 So when you would walk out at, whatever, eight to --
- 19 four to midnight, if you worked mid shift, you
- 20 wouldn't sign that?
- 2.1 I would -- like if I -- I didn't usually walk Α.
- 22 out on mid shift. I usually stayed all night.
- 23 it's just like you tip the DJ and pay your -- pay
- 24 your fee and then keep it moving.
- 25 So when you left mid-shift, would there ever be an

- occasion where you would sign that before midnights? 1
- 2 Yeah, I think there were times when I signed this if
- I left mid shift. 3
- It was your understanding the practice was that you 4 Q.
- 5 would sign this for at least some period of time
- 6 when you left after every shift?
- 7 Α. Yeah.
- 8 Q. I know it's been a while since you worked
- there and so some of it may come back slowly. 9
- 10 I know -- like I said, I know that last shift you
- 11 had to sign it, but there were times in day shift
- where I never looked at this. 12
- 13 Who decided if you were going to stay over Q.
- from mid shift to day shift or day shift to mid 14
- shift? 15
- 16 I did. That's a choice. Α.
- 17 Okay. A choice you made? Q.
- 18 Α. Yes.
- 19 Let's talk about how you would make your money as an 0.
- 20 entertainer.
- 21 Α. Okay.
- 22 What were the various ways for which you as an
- 23 entertainer could make money?
- Dance and do table dances. You could take a 2.4 Δ
- 25 customer to private rooms.

- So you could dance? 1 Q.
- 2 On the floor, you could dance on the stage, and you
- could go to private rooms. 3
- 4 Okay. So there's three types: Dancing on the Q.
- 5 floor?
- 6 Α. Yes.
- 7 Dancing on the stage? Ο.
- Α. 8 Yes.
- Actually, I think there's four. VIP? 9 0.
- 10 Well, that's what I meant by private room. Α.
- 11 Okay. Now, when you would dance on the floor, was 0.
- there a charge? 12
- 13 Α. \$10.
- Who set that charge? 14 0.
- 15 Α. The management.
- 16 Did you have any discretion as to setting that fee? 0.
- 17 Α. Yeah, because one time I tried to charge \$20 for a
- 18 dance and I almost got fired for it.
- 19 So the answer is you had no discretion for setting Ο.
- 20 that fee?
- 2.1 I didn't understand that. Α.
- 22 So if you don't understand, remember I told you
- 23 you've got to tell me you don't understand --
- 24 Yeah, I didn't --Α.
- 25 -- because otherwise, I'm going to assume then --

- I don't understand the way you are asking me. 1 Α.
- 2 0. Did you set the price for on-the-floor --
- 3 Α. No.
- -- dances? 4 Q.
- 5 Α. I didn't set the price.
- 6 So they were \$10 on the floor? 0.
- 7 Α. Yes.
- 8 Could a customer choose to tip you more?
- 9 Α. Yes.
- 10 You could dance on the stage? Okav. 0.
- 11 Α. Yes.
- Could -- was there a price that the customers paid 12 0.
- 13 to have you dance on the stage?
- 14 Α. No.
- 15 Q. Customers could tip you?
- 16 Α. Yes.
- 17 So they would -- if you danced on the floor,
- 18 customers would pay \$10 set by the club for you to
- 19 dance and may tip you more?
- 20 Α. Yes.
- 2.1 Typically, how much in tips -- by that I mean
- 22 the amount above the \$10 fee, would customers
- 23 typically pay you per dance?
- 24 \$10. Α.
- 25 So typically you would make \$10 from dancing and

- then \$10 on tip? 1
- 2 Α. Typically.
- So typically you were putting in your pocket \$20 a 3
- dance? 4
- 5 Α. Yes.
- Sometimes more, sometimes less? 6 0. Okay.
- 7 Α. Yeah. Ten usually, \$10.
- 8 Q. It was no less than ten --
- 9 Α. No.
- 10 -- because the club set that, right? 0.
- 11 Α. Right.
- So it was at least ten that you were putting in your 12 0.
- 13 pocket for every song you were dancing?
- 14 Α. Right.
- 15 Q. And it could be up to 20 or more?
- 16 Α. Or more, yeah.
- 17 And typically it was 20? Q.
- 18 Typically. Α.
- 19 So if I was a customer and I wanted you to dance for 0.
- 20 me, I would say, Climax, will you dance for me, or
- 2.1 something like that, right?
- 22 Yes. Α.
- And you would say, That's great. It's \$10 a --23 0.
- Ten. 24 Α.
- 25 -- song? Q.

- 1 Α. Yes.
- 2 Ο. And how long will the songs last for?
- Three to four minutes. 3 Α.
- And the songs would last for three to four minutes? 4 Q.
- 5 Α. (Nonverbal response.)
- Would you typically dance for a certain minimum 6 Ο.
- number of songs? 7
- 8 Α. No.
- Okay. And did customers usually stop at one or did 9 0.
- 10 they usually buy more than one?
- 11 They usually buy more than one. Α.
- 12 How many would they usually buy? I understand there 0.
- 13 are going to be variations.
- 14 I mean like four to eight to ten. Α.
- 15 0. So four to ten?
- 16 (Nonverbal response.) Α.
- 17 So once you had a customer with one, you had him for
- typically four to ten? 18
- 19 Α. Yes.
- So in that four to ten minute or that four to 20 0. Okay.
- 2.1 ten song, you're typically making, if I understand
- 22 it, somewhere between 40 and a hundred bucks?
- 23 Α. Yes.
- 24 How many of those types of dances for different
- 25 customers would you do on a typical hour?

- 3 Q. So you were typically doing ten dances per hour?
- 4 A. Typically a little more.
- 5 Q. So you are typically doing ten dances, sometimes
- 6 more, sometimes a little less?
- 7 A. Sometimes you are not doing nothing.
- 8 Q. But you were averaging about ten you said, right; is
- 9 that fair?
- 10 A. That's probably fair.
- 11 Q. Okay. Now, on top of that, customers may tip you,
- if it was -- if you danced for me four songs, I may
- give you 40, I might give you 60?
- 14 A. Yes.
- 15 Q. Couldn't give you less than 40, but I could give you
- whatever I wanted on the top end?
- 17 A. Right.
- 18 Q. Now, on the stage, if you were dancing, did you do
- 19 pole tricks?
- 20 A. Yes.
- 21 Q. Is that one of the things you were known for?
- 22 A. No.
- 23 Q. Are there some really good pole trick girls out
- there?
- 25 A. Yes.

- 1 Q. And you would dance on stage?
- 2 A. Yes, I would.
- 3 Q. And how many times a shift, as you've described it,
- day, mid, afternoon, would you get up on stage?
- 5 A. Probably like two or three.
- 6 Q. Okay. And that would be for a three-song set?
- 7 A. Three-song set.
- 8 Q. So somewhere between 9 and 12 minutes?
- 9 A. Yes.
- 10 Q. So of the 16 hours that you said you worked in an
- average day, you would be on the stage somewhere
- less than an hour?
- 13 A. More or less than an hour.
- 14 Q. And would you typically get tips from customers
- while you were dancing on stage?
- 16 A. Sometimes.
- 17 Q. Did they have -- was there an average amount you
- 18 would make every time you were up there?
- 19 A. No. It varies.
- 20 Q. What was the most you recall making?
- 21 A. I made on stage.
- 22 Q. What's the least you recall making?
- 23 A.
- Q. How often did that happen?
- 25 A. About -- at least once every time I got up there I

- 1 wouldn't make anything.
- 2 Ο. Not even \$1?
- 3 Α. No.
- Okay. And then you would do VIP? 4 Ο.
- 5 Yeah, I did VIP. Α.
- What's the -- so you would go in private rooms and 6 Ο.
- 7 have more private dances with customers?
- 8 Α. Yes.
- Dances similar to what was happening on the floor 9 Ο.
- 10 but in a private room?
- 11 Α. Yes.
- And would those dances cost more? 12 Ο.
- 13 It was \$152. Α.
- Okay. How much would you get per half-hour? 14 0.
- A hundred dollars. 15 Α.
- 16 A minimum of a hundred? 0.
- 17 Yeah, it's like -- it's a minimum of 52 really, and
- 18 that's for the VIP room, but you can technically
- 19 charge what you want to charge.
- 20 Okay. So the customer would pay \$52 to the club, Q.
- 2.1 right?
- 22 Α. Yes.
- 23 So if I'm the customer, again, I'm taking you back
- 24 to the VIP room?
- 25 Α. Yes.

- 1 Q. I'm paying \$52 to the club?
- 2 A. Yes.
- 3 Q. And that's for the privilege -- for the right to
- 4 rent that space?
- 5 A. Yes.
- 6 Q. And then I can bring you with me?
- 7 A. Yes.
- 8 Q. I can go there alone if I wanted to, right?
- 9 A. Yes.
- 10 Q. But I can bring you with me, and I can charge -- and
- 11 you charge me whatever you want to charge me?
- 12 A. Yes.
- 13 Q. Did you have a typical price that you would charge?
- 14
- 16 A. (Nonverbal response.)
- 17 Q. For a half-hour?
- 18 A. Yes.
- 19 Q. So you would -- so you would typically make
- 20 somewhere between on the floor for -- or a
- on the floor in an hour, and in the VIP room
- you would make almost twice that?
- 23 A. Yes.
- Q. So you tried to sell as many VIPs as you could?
- 25 A. Yes.

- As the customer, okay, of -- your customer, when I'm 1
- 2 on the floor, am I paying anything to -- from any of
- those dances to the club? 3
- As far as like our dances? 4 Α.
- 5 Yeah, am I paying any money to the club directly? 0.
- 6 Α. No.
- 7 So when you are on the floor, I'm giving you the Q.
- 8 money?
- 9 Α. Yes.
- Now, you talked about having to pay all these 10 Okav.
- 11 So, for example, you had to pay a fee when fees.
- you walked in the door? 12
- 13 Α. Correct.
- That was what you called the house fee? 14 0.
- 15 Α. Yes.
- 16 Now, that was the 40 or 60 or 80, whatever dollar it
- 17 was, for whether you were late or not late that you
- 18 were talking about?
- 19 Α. Yes.
- 20 0. As the club -- did the club ever tell you where you
- 2.1 had to get that money?
- 22 Α. No.
- Did they tell you that it could only come from your 23
- 24 tips?
- 25 Α. No.

- That it could only come from dancing? 1 Q.
- 2 Α. No.
- If your mom gave you 80 bucks, could you pay for it 3
- with that? 4
- 5 Α. Yes.
- If your boyfriend said, Here is 40 bucks that I won 6 0.
- on the lotto ticket, you can pay for it with that? 7
- 8 Α. Yes.
- No restriction on where you got the money from? 9 0.
- 10 Α. No.
- 11 No requirement that the money come out of your tips, 0.
- 12 correct?
- 13 Α. Correct.
- You can pay it for anything you want? 14
- 15 Α. Correct.
- 16 Same thing with all the other tip outs that you had,
- 17 right?
- 18 Yes, that's right. Α.
- 19 You could pay with whatever money you wanted from 0.
- 20 whatever source you wanted?
- 2.1 Correct. Α.
- So theoretically -- just follow my example for a 22
- 23 moment.
- 24 Α. Okay.
- 25 If you worked as a lawyer here in one of the law

- firms involved in this case during the day, you 1
- 2 could save your money from being a lawyer and make
- all those payments, correct? 3
- Yes. 4 Α.
- 5 Did you ever do anything to track where your 0. Okav.
- 6 money came from that you were using to pay those tip
- 7 outs?
- 8 Α. No.
- Did you ever -- did you ever keep a tip 9 0.
- 10 journal?
- 11 Uh-uh. Α.
- Do you know what --12 0.
- 13 No, I did not. Α.
- -- a tip journal is? 14 0.
- Yes, I know what it is. 15 Α.
- 16 A tip journal is somewhere where you are recording 0.
- 17 the tips that you make and the payments that you are
- 18 making?
- 19 Α. Right.
- 20 Q. Did you ever record in one of those?
- 2.1 Α. No.
- 22 When did you first learn of what's a tip journal? Q.
- 23 Α. After I got into this altercation with Shooter's,
- 24 after I signed on with the whole other case.
- 25 What was that? When did you sign on?

- I don't even remember exactly when I did it, but 1 Α.
- 2 that's when I realized that you should probably be
- keeping track of all this stuff. 3
- 4 Are you keeping track of it today? Q.
- 5 Α. Yes.
- What kind of format are you keeping track of it 6 0.
- 7 today?
- 8 Α. Now I get receipts from when I tip out.
- 9 0. Okay. Are those forms that you create?
- 10 They are computer generated. Α.
- 11 From that -- from Heartbreakers? 0.
- 12 Α. Yes.
- 13 Now, did you ever advertise your services? Q.
- 14 Yeah, it was times where I went on my Instagram and
- 15 I will put a nice picture of me in a bikini and tell
- 16 people to come out and see us.
- 17 So tell me what -- any other ways other than Q.
- 18 Instagram?
- 19 Α. No.
- 20 Q. No other social media?
- 2.1 Α. No.
- 22 First of all, have you ever in your life seen an ad
- 23 from Follies?
- 24 Α. No.
- 25 Did you ever see any social media that they put out?

- 1 A. I think they got an Instagram.
- 2 Q. Do you know whether they have an Instagram or
- whether or not there is just a hashtag name that's
- 4 got their name on it?
- 5 A. No. It's an Instagram.
- 6 Q. What's their Instagram name?
- 7 A. I don't know what it is, but I've seen it. They
- 8 used to have a website, but I don't know if they
- 9 still have it or not.
- 10 Q. Do you know whether or not they created any of that
- 11 stuff?
- 12 A. No. No telling.
- 13 Q. So you don't know whether or not that was something
- they did or something that a bunch of entertainers
- 15 did?
- 16 A. Yeah. I don't know.
- 17 Q. Okay. But nonetheless, you had an Instagram site,
- 18 right?
- 19 A. Yes, I had an Instagram.
- 20 Q. And you would put up on your Instagram a picture of
- you in revealing clothing? I think you said a
- 22 bikini?
- 23 A. Right, and tell people to come out tonight or --
- Q. Is that what you used the account for?
- 25 A. No, that's not what I used it for, but on occasions

- 1 I would put that on there.
- 2 Q. Okay. Any other social media site that you would
- put it on other than your site?
- 4 A. No.
- 5 Q. Okay. I take it that's not a site that you shared
- 6 with your family?
- 7 A. No.
- 8 Q. Did you ever advertise your services that you were
- 9 going to be somewhere other than Follies like at
- 10 Shooter's or the Goldrush or --
- 11 A. No.
- 12 Q. Okay. So you would put a picture of yourself in
- 13 your bikini out there and say, Come see me?
- 14 A. Yeah, Come to Follies.
- 15 Q. I'll be there Monday through Friday from open to
- 16 close?
- 17 A. I'll be here now. It was just a now thing, you
- 18 know, or --
- 19 Q. Did you have a group of regular customers?
- 20 A. I have regulars.
- 21 Q. How would you communicate with your regulars?
- 22 A. Via text message, phone calls.
- 23 Q. When you were going to the club, would you call your
- 24 regulars?
- 25 A. Yes.

- 1 Q. Tell them, I'm going to be at the club today?
- 2 Α. Yes.
- And when you were going to be at the club, would you 3
- 4 text your regulars?
- 5 Α. Yes.
- 6 I'm going to be at the club today, come and see me? 0.
- 7 Α. Yes.
- 8 Q. That kind of stuff?
- 9 Α. Yes.
- 10 And was the purpose of that to generate your
- 11 customers coming to see you?
- Yeah, to bring them in and make something happen. 12 Α.
- 13 So you are trying to generate business for yourself, Q.
- 14 right?
- 15 Α. Yeah. And, I mean, it was a teamwork thing.
- 16 bring people into there and people see, you know,
- 17 Follies and pretty girls in pictures, and they are
- 18 going to want to come. They are going to spend
- 19 money. It's pretty much a win-win, we thought.
- 20 So it's something that you made the investment both Q.
- 2.1 in time and whatever it cost you to do this, right,
- 22 to do?
- 23 Α. Yeah, when I did it.
- 24 Okay. Any other ways other than texting your
- 25 customers, your regulars -- how many regulars did

- you have at the time? 1
- 2 Α. Probably like 30.
- When we've referred to regulars, you mean people who 3 Ο.
- 4 come on a regular basis --
- 5 Α. Yes.
- -- and spend a good portion of money --6 0.
- 7 Α. Right.
- 8 Q. -- with you dancing?
- 9 Α. Yes.
- 10 That's why you refer to them as "regulars," right? 0.
- 11 Α. Regulars, yes.
- So it's not just a quy who you happen to see on one 12 0.
- 13 occasion flying in from Geor- -- flying in from
- Washington or Minnesota? 14
- 15 Α. Correct.
- 16 Ο. It's the guys --
- 17 Α. Consistent buyer who is coming in consistently.
- 18 And spending significant amounts of money on you? Ο.
- 19 Yes, like three or four times a week. Α.
- 20 Q. And you had 30 to 40 of those types of people who
- 2.1 would come to see you three or four times a week?
- 22 Α. Yes.
- So other than texting, putting up Instagram and 23
- 24 calling, any other ways that you promoted yourself?
- 25 Α. No.

- 1 Did you ever go to events where you would wear
- 2 something or hand out business cards or anything
- like that? 3
- No. 4 Α.
- 5 Did you ever take dance lessons? Ο.
- 6 Α. No.
- 7 Ever in your entire life? Ο.
- 8 Α. No.
- You've never had any dance training as a child or 9 0.
- 10 like ballet or --
- 11 Α. No.
- Okay. Gymnastics? 12 Ο.
- 13 I did gymnastics once. Α.
- Okay. How about in the last probably five years --14 0.
- 15 Α. Oh, no.
- 16 -- any training in any --
- 17 Α. No.
- Let me finish my question. 18 Ο.
- 19 Α. Okay.
- 20 Q. Any training in gymnastics, dance or any of those
- 2.1 related fields?
- 22 Α. No.
- How did you learn how to pole dance? 23 0.
- 24 Watching the other entertainers. Α.
- 25 And you just practiced? Ο.

- 1 Α. Yes.
- 2 0. How often would you practice pole dancing?
- Maybe once every two weeks. 3 Α.
- Well, I'm assuming earlier on you probably practiced 4 Q.
- 5 a lot more to learn it?
- 6 Well, I mean, I wasn't like, you know, the top dog Α.
- 7 of pole dancing either, so --
- 8 Q. But I'm assuming that when you were trying to learn
- it -- because it's fairly hard, right? 9
- 10 Fairly, yes. Α.
- 11 You had to practice a lot more at keeping up your Q.
- skills as opposed to learning them? 12
- 13 I didn't really keep up with it. Α.
- Because you do it? 14 Q.
- 15 Α. I don't really now.
- 16 But at the time you did? 0.
- 17 Α. Yeah. Well, I was attempting to.
- 18 Now, did the club tell you whether or not you should Ο.
- 19 learn pole dancing or not?
- 20 Α. No, they did not.
- 2.1 Did they tell you how you should dance? Q.
- 22 We weren't allowed to like sit on top of the Α.
- 23 customers. Like if I just take myself and come over
- 24 there and straddle you just like that, we couldn't
- 25 do that.

- Do you know why? 1 Q.
- 2 Α. I'm quessing something to do with just --
- Could it be because it's against the law? 3 Ο.
- Yeah. 4 Α.
- So other than legal requirements for how you could 5
- comply with the law, right, you can't do certain 6
- 7 things because it might break the liquor code or it
- 8 might break the law?
- Right. 9 Α.
- 10 Any other requirements about how you dance? Ο.
- 11 Α. No.
- Any other requirements about who you dance -- any 12
- 13 requirements about who you danced for?
- 14 Α. No.
- 15 Q. Could you choose all the customers you wanted to
- 16 dance for?
- 17 Α. Yes.
- 18 So if I came up to you and you said, Man, I don't
- 19 like you, could you say no?
- 20 Α. Yes.
- 2.1 So, Sorry, sir, not interested? Q.
- 22 Α. Yes.
- 23 Could you on the other hand, say, If you want to go
- 24 back to the VIP room, it's going to be \$10,000 an
- 25 hour?

- 1 Α. Yes.
- 2 Ο. So you could detour customers in any way you wanted?
- 3 Α. Yes.
- 4 Did you ever see entertainers use any props during Q.
- 5 your performances?
- 6 Α. No.
- 7 Like an accessory? Q.
- 8 Α. I never saw it.
- You never saw any entertainers use accessories? 9 0.
- 10 Α. No.
- 11 Anybody tell you you could or you couldn't? 0.
- 12 Α. No.
- 13 Did you ever pretend to be somebody else when you Q.
- 14 were dancing with a customer, dressing in a certain
- 15 type of outfit or carry yourself in a different type
- 16 of way different than you are?
- 17 Α. I quess my stage person.
- 18 Did you choose that? Ο.
- 19 Α. Yes.
- 20 Q. And you chose how you wanted to act in that
- 2.1 capacity?
- 22 Α. Yes.
- 23 0. And what you wanted to call yourself?
- 2.4 Α. Yes.
- 25 What kind of person you wanted to pretend you were

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- while you were there? 1
- 2 Α. Yes.
- I'm sure you made all sorts of crazy interests that 3
- 4 you thought the customers might like?
- 5 Yes. Α.
- 6 And you would create your own persona, your own 0.
- 7 person, as to what you thought would be an
- 8 attractive marketing position with customers?
- 9 Α. Yes.
- And those are things you all chose for yourself? 10 Q.
- 11 Α. Yes.
- Did you wear makeup when you performed? 12
- 13 Yes. Α.
- 14 You chose that? 0.
- 15 Α. Yes.
- 16 Did you buy your own makeup?
- 17 Α. Yes.
- 18 You chose what type of makeup to buy? Ο.
- 19 Α. Yes.
- 20 Q. Where to buy it?
- 2.1 Α. Yes.
- 22 How much to spend on it? Q.
- 23 Α. Yes.
- 24 How to put it on? Q.
- 25 Α. Yes.

- Same thing with your hair? 1 Q.
- 2 Α. Same thing.
- You chose the style that you wanted? 3 0.
- 4 Α. Yes.
- 5 Whether or not you are going to wear a wig? 0.
- 6 Α. Yes.
- 7 Did you ever wear a wig?
- 8 Α. One time.
- Did you buy it? 9 0.
- 10 Α. Yes.
- 11 You chose whether or not you wanted to wear it, 0.
- right? 12
- 13 Α. Yes.
- You could choose whatever clothing you wanted to buy 14
- 15 as long as it complied with the law?
- 16 Yes. Α.
- 17 There were certain requirements of certain body
- parts that you as a licensed performer couldn't 18
- 19 show, correct, depending on where you were on stage?
- 20 Α. Yes.
- 21 And where you were in the club? 0.
- 22 Α. Yes.
- 23 There were certain places you could wear certain
- 24 things and certain places you could not; you
- 25 understood that as a matter of law, not as a matter

- of what the club wanted? 1
- 2 Α. Yes.
- But short of complying with what the law was, you 3
- 4 chose what you wore, right?
- Because if it was up to me, I would have 5 Α. I mean no.
- 6 wore tennis shoes every day.
- 7 We talked about the tennis shoes, right? We talked Q.
- 8 about no tennis shoes?
- At Kamal's 21 before, wherever it is, they could 9 Α.
- 10 wear tennis shoes on certain days.
- 11 Q. I'm sorry. I didn't hear you.
- There was another club where you could wear tennis 12 Α.
- 13 shoes on certain days. So I mean everybody is -- it
- 14 just depends on the club. At Follies I could not
- 15 wear anything other than my dance attire and dance
- 16 heels.
- We talked about that earlier --17 O.
- 18 But that's not my choice. Α.
- We talked about that earlier, right? Other than 19 0.
- 20 some basic dance attire, right, and some -- you
- 21 couldn't wear tennis shoes?
- 22 Α. Exactly.
- 23 0. You could wear whatever within that realm you
- 24 wanted?
- 25 I could pick the sequins and the blues and reds and

- 1 all that, yes.
- 2 You could wear 20-inch heels or one-inch heels,
- right? 3
- 4 Α. Yes.
- Now, what club was it that you said you could wear 5
- 6 -- that they wore tennis shoes at?
- 7 At Kamal's, before it was whatever it is now. Α.
- 8 not Kamal's anymore, but there was nights in there
- 9 where they could wear tennis shoes. But, I mean,
- each club is different. 10
- 11 Did you ever wear outfits when you performed like Q.
- anything special or particular? 12
- 13 No. Α.
- Now, you said that you had -- that there were --14
- 15 when you were going to dance on stage there was --
- 16 the DJ -- I think we talked about this earlier --
- 17 would play certain types of music?
- 18 Yes. Α.
- 19 And you could choose to dance -- I'm going to be a
- 20 country girl, I'm going to be a rock and roll girl,
- 2.1 a rap girl, whatever it was?
- 22 Α. Yes.
- 23 0. What was your style?
- 24 Hip-hop. Α.
- 25 Hip-hop. Could you have chosen to be -- could you

- have chosen a dance to country music if you wanted 1
- 2 to?
- Yes, I could have. 3 Α.
- Now, you talked about these dance -- or these drink 4 Q.
- 5 tickets earlier, just briefly you mentioned them in
- something? 6
- 7 Α. Yes.
- 8 Did you get a drink ticket every time that you
- showed up? 9
- 10 Α. Yes.
- 11 Was that something that was included in the price 0.
- 12 that you paid or was that different than the price
- 13 you paid?
- 14 It was included. Α.
- Okay. So you would pay \$40, let's say 15 Q.
- 16 hypothetically, to get one dance ticket or drink
- ticket? 17
- 18 Yes. Α.
- 19 Now, could you use that drink ticket to buy yourself
- a drink? 20
- 2.1 Α. Yes.
- 22 Q. Could you use it to buy a customer a drink?
- 23 Α. Yes.
- 24 Could you use it to buy another entertainer a drink?
- 25 Yes. Α.

- And did you sell these tickets? 1 Q.
- 2 Α. Yes.
- How much would you sell these drink tickets for? 3 0.
- \$20. 4 Α.
- And did you give that \$20 to the club or did you 5 0.
- 6 keep that?
- 7 We would keep it. Α.
- 8 Q. And who would provide -- did you provide the liquor
- then or did the club? 9
- 10 The club. Α.
- 11 So you would -- they would give you a ticket as part 0.
- 12 of your lease fee that you would sell for \$20 to
- 13 customers, and customers could go get liquor?
- 14 Α. Yes.
- 15 Q. Okav. They would give you this -- they would
- 16 provide you with this dance ticket or this drink
- 17 ticket and you would -- if you chose not to sell it
- 18 to a customer, you could keep it and buy yourself a
- 19 drink?
- 20 Α. Yes.
- 2.1 Could you use it to entice customers to buy dances
- 22 from them? So for example, give them -- if you buy
- 23 two dances from me, I'll give you a drink ticket?
- 24 Yes. Α.
- 25 You could use it any way you wanted as a marketing

- tool? 1
- 2 Α. Yes.
- 3 Other than what we've talked about for the stage
- 4 dances, the table dances, the drink ticket sales,
- 5 the VIP rooms, any other ways as an entertainer you
- 6 could make money?
- 7 I guess if you really come up with something to add, Α.
- 8 you know, that nobody else thought of. Other than
- 9 that, that's pretty much the way to make money, what
- 10 we discussed.
- 11 And then I guess some of the other ways that you
- 12 would make money in using this was depending how
- 13 much you marketed yourself, how much customers you
- 14 may have called to say, Come on in and see me?
- 15 Α. Yeah, how hard you work every day.
- 16 Well, not just how hard you work, but how well you 0.
- 17 market yourself, too, right?
- 18 Right, but I mean you could be in there all day and Α.
- 19 sit around and drink all day. You could be there
- 20 all day and kick it. You can be in there all day
- and --2.1
- 22 Some of that is all your choice, right? Q.
- 23 Α. Exactly.
- 24 So you could show up there and decide, I just don't
- 25 want to work today and go sit in the corner

- somewhere? 1
- 2 That's how you make your money, depending on how
- 3 hard you work.
- As well as how much -- you know, if you want to make 4 Q.
- 5 a lot of money, you could call all those customers,
- 6 send all those Instagram posts; that helps you make
- 7 money, right?
- 8 Α. Yes.
- 9 Do you tell the customers how much the dances are
- 10 going to cost and the VIP rooms are going to cost
- 11 before you perform them?
- 12 Α. Yes.
- 13 Did the club ever advertise or say what the prices 0.
- of the dances are? 14
- 15 Α. It was just \$10. I mean like --
- 16 0. Were there signs up?
- 17 No, there were no signs. Α.
- 18 Were there announcements? Ο.
- 19 I'm not sure how the -- I think it was just when I Α.
- 20 started working there, they just told me it's \$10 a
- 21 song. It was just like one of those things.
- 22 Did the customers seem to know that? Q.
- Yeah. 23 Α.
- 24 So it wasn't -- everybody seemed to know it; you
- 25 just don't know how everybody knew it?

- 1 Α. Yes.
- 2 0. But it wasn't a shock to anybody, right?
- 3 Α. No.
- Customers seemed to have figured it out, right? 4 Q.
- 5 Α. Yes.
- 6 Now, you said that when you -- you had a permit --0.
- 7 Α. Yes.
- 8 -- to dance to work there from DeKalb County?
- 9 Α. Yes.
- 10 And you said the club required you to give it to
- 11 them?
- 12 Α. Yes.
- 13 Who required you to actually give it to them? Q.
- Did somebody tell you that specifically, I need it? 14
- Α. 15 Yes.
- 16 And I need to keep it until you are done performing
- 17 here or --
- 18 Α. Yes.
- 19 Or did they say just -- did they just say, I need 0.
- 20 your permit when you are here?
- 2.1 They told me I had to have it or my job is Α.
- 22 going to be terminated.
- 23 Did you understand that it was a requirement of you
- 24 as an entertainer that you have your dance permit on
- 25 you every day that you were performing as an adult

- 1 entertainer no matter where you worked?
- 2 A. When I started working at Follies --
- 3 Q. I'm not asking about when you started working at
- 4 Follies. I'm asking you as an adult entertainer
- 5 licensed by the County of DeKalb, you went out and
- 6 paid 3 or \$400 for your own dance license, right?
- 7 A. Right.
- 8 Q. And you understood, did you not, that it was a
- 9 requirement that you have it with you when you
- 10 performed?
- 11 A. It was a requirement that I kept it there. I could
- 12 not take my permit anywhere else.
- 13 Q. Was that from DeKalb County?
- 14 A. Yes, this is the DeKalb County permit.
- 15 Q. Did DeKalb County require you to leave it with the
- 16 club?
- 17 A. No. Follies required me to leave it with them.
- 18 Q. DeKalb County required you to have it on you when
- 19 you performed there, right?
- 20 A. Yeah, it's a DeKalb County requirement to have a
- 21 permit.
- 22 Q. And you needed to have it on your person every time
- you were performing; is that true?
- 24 A. I mean I would assume so.
- 25 Q. It was also required the club be responsible, was it

- not, if you did not have your permit and allowed you 1
- 2 to perform?
- 3 Α. Yes.
- 4 So you were required to have it? Q. Okay.
- 5 Α. Yes.
- They were required to verify that you had it, right? 6 0.
- 7 Α. Yes.
- 8 And you said at one point they took it from
- 9 you?
- 10 When I first started working there, they asked Yes.
- 11 me for my permit. Okay. I gave it to them.
- 12 wanted to work at Shooter's Alley. I needed a
- 13 permit. So I told Abby that I needed two forms of
- 14 ID, and I was going to court, and I needed my
- 15 permit. She allowed me to have the permit. For the
- 16 first six months that I worked at Shooter's Alley,
- 17 that's how I was able to get the permit. It wasn't
- 18 until about January of 2013 when Abby kept harassing
- 19 me about the permit and she told me, "I need your
- 20 permit. You have to give me your permit. I need
- 2.1 your permit or you can't work here." So I gave her
- 22 the permit, and it was kept in a big book of
- 23 permits.
- 24 Did you ever ask her for it so you could work at
- 25 Shooter's Alley?

- 1 Α. No. I wasn't working there anymore.
- 2 0. So --
- I was allowed to work day shift and any shift at 3 Α.
- The whole point of me working at Shooter's 4 Follies.
- 5 Alley was because I couldn't work day shift at
- 6 Follies, so I worked day shift at Shooter's Alley
- 7 and night shift at Follies.
- 8 Q. So it wasn't that they required you to -- it wasn't
- so much that they required you to keep it; you 9
- 10 didn't even want it back, did you, because you
- 11 were --
- I did want it back because I wanted to be able to go 12 Α.
- 13 to other clubs, and I didn't want to have to pay
- 14 another \$400 for another DeKalb County permit, but I
- 15 wasn't allow to have my permit back.
- 16 How do you know you weren't allowed? 0.
- 17 Α. Because Abby told me.
- 18 Abby told you --Ο.
- 19 I told her that I had my permit. She kept asking me Α.
- 20 where was my permit, and I told her that I had it,
- 21 and she told me that she had to have it and she
- 22 needed it back from me.
- 23 Did she ever tell you that if you wanted to go work
- 24 somewhere else you couldn't have it back?
- 25 Α. She just told me that if I wanted to work there,

- 1 they needed to keep it.
- 2 Q. And so did you ever say to Abby -- I just want to
- make sure that we're on the same page. Did you ever
- 4 ask Abby, Hey, tomorrow I want to go work at -- I
- 5 don't know a name of a club in DeKalb County -- X
- 6 Club, Can I have my permit so I can work there
- 7 tomorrow?
- 8 A. Uh-uh. After I was allowed to work day shift and
- 9 mid shift, I didn't need to do that. I just was
- 10 cool with working at Follies. I only worked there
- 11 the whole year.
- 12 Q. So you don't know whether you could have had it back
- to go work somewhere else or not because it didn't
- 14 matter to you?
- 15 A. I knew I couldn't have it back because she told me
- that actually I had to give it to her and she had to
- 17 keep it in a book.
- 18 Q. I understand that. When you --
- 19 A. So I knew -- I assumed at that point that I could
- not have my permit back, and I was fine with working
- there.
- 22 O. You assumed?
- 23 A. She told me that she had to have it.
- 24 O. I understand she said that she had to have it.
- 25 A. Yes.

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- 1 Q. Did she ever tell you that if you want to go work at
- 2 Shooter's Alley again that you can't because I'm not
- 3 going to give you your permit back?
- 4 A. Yeah, she did tell me that.
- 5 Q. What did she tell you exactly?
- 6 A. She told me that I couldn't have my permit to go and
- 7 work at another club. If I wanted to go work at
- 8 another club, I had to go work at another club.
- 9 Q. Okay.
- 10 A. Because I argued with her about it; obviously, I've
- been working for six months and I've had my permit,
- why do you need it so bad now? She told me that she
- had to have it on file; they have to have my permit
- 14 there.
- 15 Q. So they had to have your permit there or you
- 16 couldn't perform there?
- 17 A. Exactly.
- 18 Q. Did she ever tell you that they wouldn't give you
- 19 your permit back to perform somewhere else?
- 20 A. No.
- MR. RUBIN: Okay. Now I need to use the
- restroom. Why don't we go off the record.
- 23 (Recess.)
- 24 BY MR. RUBIN:
- 25 Q. How did your relationship with The Follies end?

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- I was terminated for no explanation. 1 Α.
- 2 Ο. Who terminated you?
- I don't know. 3 Α.
- 4 How do you know you were terminated? Ο.
- 5 Because they told me that I couldn't work. "Thev" Α.
- being Victoria, the house mom, told me that I 6
- 7 couldn't work there. I didn't know why, so I came
- and asked Stevie B. if I could work. He told me 8
- that I could come in and work the next day. 9
- 10 came back the next day, Victoria told me that I was
- 11 on a no-rehire list.
- 12 Do you know why? Ο.
- 13 Α. Because I sued Shooter's Alley was all I could get
- 14 to.
- 15 0. Who told you that?
- 16 It was just --Α.
- 17 You were quessing? Ο.
- 18 That's the only thing that I could come up with. Α.
- 19 You were quessing? Ο.
- 20 Α. Yes.
- 2.1 You don't know why the club decided to end the
- 22 relationship?
- 23 Α. They never gave me a reason.
- 24 Okay. Now, when you were working or performing at
- 25 the club, was there anybody directing you on what

- you needed to do on any particular shift? 1
- 2 Α. No.
- So you told me like right before we went on the 3
- break --4
- 5 Α. Yes.
- -- right, that you could just go sit in the corner 6 0.
- 7 and drink pops all day if you wanted to?
- 8 Α. Correct.
- Did anybody tell you to get up and dance? 9 0.
- 10 No. Α.
- Anybody tell you -- you know, for example, did you 11 0.
- 12 see --
- 13 Actually, yeah, this did happen. Victoria came to Α.
- 14 me numerous times when I didn't have my tip out and
- 15 told me that I need to get up and make some money so
- 16 I can pay my tip out.
- 17 Was that because you were sitting around not Q.
- 18 working?
- 19 That was because there was nothing happening, and I Α.
- 20 did the best that I could.
- 21 That's not my -- so Victoria told you you need to go Q.
- 22 make your tip out?
- 23 Α. Yes.
- 24 Did she actually tell you you had to make your tip
- 25 out, or did she actually tell you she didn't care,

- 1 she wanted to get tipped?
- 2 Α. She told me, "You need to get up and make some
- 3 money so you can pay your tip out."
- How many times did that happen? 4 Q.
- About five. 5 Α.
- Okay. Any other time where you were just sitting in 6 0.
- 7 the corner hanging out with your friends talking --
- 8 Α. No, because usually I don't do that. I get my
- money. 9
- 10 I understand you may get your money. My question,
- 11 is there any other time where you were just sitting
- 12 around not doing anything that your manager came up
- 13 to you and said, You must go to work, You must go
- serve these drinks, You must go do X, Y, Z? 14
- Yeah, like I had to do -- when I sell the drink 15 Α.
- 16 tickets, we had to go on stage and do that or there
- 17 was a \$50 fine, and that was incorporated by Cain.
- There was a fine? 18 Ο.
- 19 It was a fine for not getting on stage. And when we Α.
- 20 had to -- I'm sure. Oh, I worked there. When we
- 21 had to get on stage and all the girls had to get on
- 22 stage to show off all the hot chicks at Follies, it
- 23 was a fine if you didn't go and get on that stage.
- 24 I paid it once.
- 25 You paid a fine once?

- \$50. 1 Α.
- 2 Ο. To who?
- 3 To Cain. Α.
- To Cain. 4 Q.
- He was the one who made the decision. 5 Α.
- Any other fines that you paid? 6 0.
- 7 Α. A fine to leave early.
- 8 Q. It wasn't a fine to leave early; you understood --
- 9 Α. \$20.
- 10 You understood if you wanted to leave before the end
- 11 of the shift, you could, as long as you paid \$20,
- right? 12
- 13 No, I didn't. There was so many times that I was Α.
- 14 not granted the ability to leave.
- 15 There were so many times? Earlier when we talked Q.
- 16 about it you said it was eight times by Cain and two
- 17 times by somebody else?
- 18 Approximately. That's just quessing. But it was Α.
- 19 numerous times where I asked to leave early, and I
- 20 was not granted to leave. But when I was, I had to
- 21 pay \$20 to do it. There was a fine for staying in
- 22 the dressing room for too long.
- 23 There was a fine for staying in the dressing room
- 24 too long?
- 25 Yeah. Α.

- 1 Q. What was the fine? What was the fine?
- 2 A. Like -- I don't know how much the fine was, but Abby
- 3 threatened it with us all the time. She told us if
- 4 we stayed in there too long, then we were going to
- 5 get fined.
- 6 Q. Did she ever fine you?
- 7 A. No, I never got fined. I didn't hang out in the
- 8 dressing room or kick it with people. I went and
- 9 got -- did my business and left.
- 10 Q. Okay. So you paid a \$50 fine once that you said,
- 11 right?
- 12 A. Yes.
- 13 Q. And do you know whether or not -- remember I showed
- 14 you that schedule earlier that had all those
- different rates and had various times on there for
- 16 coming and going?
- 17 A. Yes.
- 18 Q. And there was various rents depending on what time
- 19 you came and went?
- 20 A. Yes.
- 21 Q. Do you know if that was the \$20 that you paid?
- 22 A. No. I paid \$20 to leave early on top of my regular
- 23 fee.
- 24 Q. I understand that, but do you know whether or not
- 25 that was because if you chose to end your shift at

- certain times, the rent may be more or less? 1
- MR. LUCAS: Objection. Asked and 2
- answered. 3
- I'm asking do you know? 4 Q.
- I don't understand your question. 5 Α.
- I showed you -- I can show it to you again. 6 0. Okav.
- 7 What was Exhibit 2, why don't you take a look
- 8 at that.
- MR. LUCAS: She did and she said that's 9
- 10 not right.
- I understand you --11 Q.
- The \$20 that I'm discussing is a leave early fee. 12 Α.
- 13 That doesn't include the regular house fee, no.
- So you are pointing at Exhibit 2 which you say is --14
- 15 doesn't fit with what you recall?
- 16 I don't think that this is accurate because it Α. Yes.
- 17 was not -- I don't ever remember it being \$30 or \$35
- 18 It was always 25 to start. to start.
- 19 Now, do you know whether or not rent was more Okay.
- 20 or less depending on when you showed up and when you
- 21 left? Do you know if the rent adjusted?
- 22 Α. It adjust by the time you get there.
- 23 0. Do you know if it increased if you wanted to -- if
- 24 you were going to perform for a smaller period of
- 25 time, do you know if it cost more in rent to do so?

- 1 A. You couldn't do that. You had to work your whole
- entire period. If you wanted to leave early, you
- had to request permission from the manager. If they
- 4 granted such permission, it was \$20.
- 5 Q. Okay. And that's your testimony?
- 6 A. Yes.
- 7 Q. Okay. Now, did you ever see anything that had a
- 8 leave early fee on it?
- 9 A. No.
- 10 Q. Okay.
- 11 A. There was nothing with any fees on it. No paperwork
- with any fees on it besides what I signed when I
- 13 signed it.
- 14 Q. Now, despite all these restrictions and requirements
- that you've talked about and these fines and these
- 16 fees and these tip outs --
- 17 A. Yeah. That's right here on the document. Since you
- want to bring up so many documents, let's pull up
- 19 Example 4 that says "Pay of all of your fees before
- 20 beginning of shift." That's just like --
- 21 Q. Let's take a look at Exhibit 4. "Pay all of your
- fees before the beginning of the shift." That's
- what you had to pay before you got there, right?
- 24 A. That means that you have to pay before the beginning
- of your shift. Before you get out there and start

- 1 charging guys \$10 a song for the dances, you pay
- 2 your tip out.
- So you paid your --3 Ο.
- The house fee --4 Α.
- 5 Hold on. 0.
- -- which is 25. Α. 6
- 7 You paid your house fee. Any other fees that you Ο.
- 8 were required to pay at the --
- 9 Α. Any back tip outs.
- Hold on. At the beginning of your shift, 10 Hold on.
- 11 any other fees that you were required to pay?
- 12 Α. Yes.
- What other fees were you required to pay --13 Q.
- 14 Α. Just your house fee.
- 15 -- at the beginning of --Q.
- 16 This is referring to your house fee which is that Α.
- 17 \$25, unless you are late, and then it's more.
- 18 those are their rules and their dressing room.
- 19 at the end of the day, even if I am an independent
- 20 contractor, even if I was one, what independent
- 2.1 contractor has to pay to work? What plumber do you
- 22 hire on Craiqslist and then when he gets there, you
- 23 tell him he has to pay you to work there, and then
- 24 if he wants to leave, he has to request your
- 25 permission to leave and then pay a fee to leave?

- 1 MR. RUBIN: Move to strike as
- 2 nonresponsive.
- Even if I am an independent contractor, the way they 3 Α.
- are doing it is all crazy. 4
- Let me ask you this: How many -- do you pay -- do 5 Q.
- 6 you live in an apartment?
- 7 Α. No. I live in a house. I have a house.
- 8 You lived in an apartment when you lived in Atlanta,
- right? 9
- 10 Yes, I did. Α.
- 11 You paid rent? 0.
- 12 Α. Yes.
- 13 You paid that rent in order to use the property? Q.
- 14 Α. Yes.
- 15 0. Did you drive a car?
- 16 Yes. Α.
- 17 You borrowed money to do that? Q.
- 18 Α. Yes.
- 19 And you knew if you didn't pay it, they would 0.
- 20 repossess your car?
- 2.1 Α. Yes.
- 22 So you paid money to use your car? Q.
- 23 Α. Yes.
- 24 You flew into Atlanta for your --
- 25 Well, but --Α.

- 1 Q. Just hear me, ma'am. You flew --
- 2 There is no way to justify this.
- MR. LUCAS: You know what? It's not even 3
- 4 a question. Let him give a speech.
- 5 Well, give me the speech. Α.
- Did you fly in today? 6 0.
- 7 Α. Yes.
- 8 Q. Did you rent a car?
- 9 Α. No.
- 10 Did you pay for -- did you rent a cab -- take a cab? 0.
- 11 Α. Yes.
- Did you pay for those services? 12 0.
- 13 Yes, yes, yes. I pay for everything that I have Α.
- acquired. What is it that we're getting to? 14
- Okay. So you are at least familiar generally with 15
- 16 the concept of paying for the right to use certain
- 17 people's property?
- 18 I have to pay to work? I'm not -- I don't
- 19 understand that.
- 20 MR. LUCAS: Just answer his questions
- 2.1 regardless of -- if he asks one, answer it.
- 22 THE WITNESS: Okay.
- 23 MR. RUBIN: Move to strike as
- 24 nonresponsive.
- 25 It's nonresponsive to a MR. LUCAS:

1		completely irrelevant line of questioning.
2		THE WITNESS: Am I paying to
3		MR. LUCAS: Listen. Hold on. There is no
4		question pending. Wait. Wait. We'll get through
5		this eventually.
6		THE WITNESS: I hope so. God, I'm keeping
7		the faith.
8		MR. LUCAS: That's enough. That's enough.
9		Just answer his questions.
10		BY MR. RUBIN:
11	Q.	When you worked at the company that you worked at,
12		the telemarketing company, were you selling
13		something?
14	A.	No.
15	Q.	What were you doing?
16	A.	I was responding to people who had questions about
17		cars.
18	Q.	Can I ask you a question? You've been in the adult
19		industry for a number of years?
20	Α.	Yes.
21	Q.	And you've, in every one of the jobs that or the
22		positions that you've held, you've chosen to work as
23		an independent contractor, including your most
24		recent position?
1	_	

That was the only one that I chose. Follies didn't

25

Α.

- give me an opportunity to pick what I wanted to do. 1
- 2 I just got hired there, and I operated the way that
- they told me to. 3
- My question to you is, why did you choose to 4 Q.
- 5 continue to work as an independent contractor?
- 6 Because it was productive. I was making money. Α.
- 7 permit was already there. I'm not going to pay for
- 8 another permit to work anywhere else.
- I'm not talking about at Follies. I mean at 9 0.
- 10 Heartbreakers.
- 11 Because apparently I've been blacklisted in Atlanta, Α.
- and I can't work in the clubs in Atlanta. 12
- 13 That's not my question. Why did you choose to work Q.
- 14 as an independent contractor as opposed to an
- 15 employee?
- 16 Because either way you look at it, it's messed up. Α.
- 17 You can't -- you can't charge me 7.25 -- you can't
- pay me 7.25 an hour and then take my tips. 18
- 19 you going to take my tips? They don't do that at
- 20 Starbucks, like you were talking about. They work
- 2.1 at Starbucks, and they're employees. They get 7.25,
- 22 but they get to keep their tips. Why would the club
- 23 have to take mine?
- 24 Do you know whether or not your -- whether or not in
- 25 -- whether or not they can -- they can even let you

- get tips if they don't want to? 1 Do you know if a 2 business could pay 7.25 and prohibit you from getting tips? 3 All I know is what I'm telling you here. I'm 4 Α. 5 telling you that they charge me these fees. I want 6 them back, and that's how it's going. That's all I 7 tell you. 8 Q. And did you ever --Α. Every single day when it was required for me to go 9 10 in Follies and pay this fee, he wanted his money, 11 and I paid all of it. I paid him exactly what he wanted, and I gave him -- I paid that fee every 12
- So let me ask you this: Did you ever have an 14
- 15 agreement of any -- of any type or sort with the
- 16 club other than what the club charged you?

single day. Now, I want mine.

17 Α. No.

13

- I have one other question. You wanted to 18
- correct some answers to interrogatories? 19
- 20 MR. LUCAS: Yeah.
- 2.1 MR. RUBIN: Let me ask the question.
- 22 What particular interrogatory answers did you want
- 23 to change, correct or amend?
- 24 MR. LUCAS: I will help her on that.
- I know exactly what it is. 25

1		MR. LUCAS: Was it the interrogatories?
2	Let's	go off the record for a second.
3		(Discussion off the record.)
4		MR. RUBIN: What were the interrogatory
5	answer	s that you wanted to correct?
6		MR. LUCAS: Back on the record? It's
7	Intern	ogatory No. 10 that talks about work hours.
8		MR. RUBIN: Let me pull it up here. What
9	number	are we up to?
10		MR. LUCAS: 14.
11		MR. RUBIN: I'll mark this as Exhibit 14
12	just s	o that we can have it marked for the record.
13		MR. LUCAS: That's fine, uh-huh.
14		(Exhibit 14 marked for identification.)
15	BY MR.	RUBIN:
16	Q. Exhibi	t 14 are your interrogatory responses?
17		MR. LUCAS: If you turn to No. 10, in No.
18	10 we	describe a day shift and a mid shift, but we
19	failed	to add the evening shift.
20		THE WITNESS: Yes, we did.
21		MR. YOUNGELSON: 8:00 p.m. to 4:00 a.m.
22		MS. NORDSTROM: It's on there.
23		MR. RUBIN: Claimant works six days a week
24	for th	e first six months on the night shift working
25	8:00 p	.m. to 4:00 a.m.

1		MR. LUCAS: Yeah, but it says that the
2		remainder of the time it makes it sound like the
3		remainder of the time she only worked
4		MR. RUBIN: So would
5		MR. LUCAS: Days and mid, but she also
6		worked evenings. See what I'm saying?
7		THE WITNESS: This is saying for the first
8		six months I worked eight to four which is right,
9		but then they need to add that I worked that the
10		last year or whatever the little under a year
11		that I worked there
12		MR. LUCAS: You worked days, mid and
13		evenings.
14		THE WITNESS: Exactly.
15		BY MR. RUBIN:
16	Q.	So you want this to read that you worked essentially
17		from just maybe we can just make this clear
18		from 12:00 p.m. to 4:00 a.m.?
19	Α.	Yes.
20	Q.	Six days a week?
21	Α.	Yes.
22	Q.	Okay.
23		MR. LUCAS: And then the other one was
24		MR. RUBIN: Why don't you just we've
25		noted it on the record. At some point just amend

1	the answer.
2	MR. LUCAS: We'll amend. In No. 15 it's
3	very simple. 15 is simply the bar fee for day shift
4	and mid shift. It says \$10 for day shift and 3 for
5	mid. It's \$5 for both. And we'll amend and make
6	that change as well.
7	MR. RUBIN: Okay. Any other changes?
8	MR. LUCAS: No. That's it.
9	MR. RUBIN: All right. I've got no
10	further questions at this point.
11	MR. LUCAS: Okay.
12	MR. RUBIN: Although I will indicate that
13	to the extent that there have been some documents
14	that we requested that you've told us that you will
15	produce at some point that have not been produced,
16	to the extent there are any, we would reserve on
17	those bases as in those points. But other than
18	that, I have no further questions.
19	(Time noted: 12:03 p.m.)
20	
21	
22	
23	
24	
25	

Tiara Payne on 06/23/2015

Page 1 5

1	ATTACH TO THE DEPOSITION OF TIARA PAYNE
2	In Re: PAYNE v. WBY, INC., d/b/a THE FOLLIES
3	
4	ERRATA SHEET
5	INSTRUCTIONS: After reading the transcript of your deposition, note any change or correction to your testimony and the reason therefor on this sheet. DO
6	NOT make any marks or notations on the transcript
7	volume itself. Sign and date this errata sheet (before a Notary Public, if required).
8	PAGE LINE
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19	I have read the foregoing transcript of my
20	deposition and except for any corrections or changes noted above, I hereby subscribe to the transcript as
21	an accurate record of the statements made by me.
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23	Tiara Payne Date
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 6
 7
 8
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11
     was reported, as stated in the caption, and the
     questions and answers thereto were reduced to the
12
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     written page under my direction; that the foregoing
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14
     transcript of the evidence given. I further certify
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     that I am not in any way financially interested in
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          Pursuant to the Rules and Regulations of the
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     Board of Court Reporting of the Judicial Council of
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6	the case, or any reporter or reporting agency from
7	whom a referral might have been made to cover this
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